Bord Oideachais agus Oiliúna Chiarraí
Kerry Education and Training Board

CRUINNIÚ BHORD OIDEACHAIS AGUS OILIÚNA CHIARRAÍ KERRY EDUCATION AND TRAINING BOARD MEETING	
Date and Time:	Tuesday October 29th 2024 at 3 p.m.
Location:	Hybrid: Kerry ETB Head Office Centrepoint Building, Boardroom
Cathaoirleach:	Cllr. Norma Moriarty
Secretary:	Mr Colm McEvoy, Chief Executive
Attendance (Reserve Members):	• Cllr. Norma Moriarty • Cllr. Marie Moloney - *Remote* • Cllr. Deirdre Ferris - *Remote* • Cllr. Anne O'Sullivan - *Remote* • Cllr. Angie Baily • Cllr. Martin Grady - *Remote* • Cllr. Paul Daly • Cllr. Teddy O'Sullivan Casey • Cllr. Tommy Griffin • Cllr. Niall Kelleher - *Remote* • Mr Joseph (Joe) Brennan • Mr. Daniel O'Donoghue • Mr. Michael Larkin McCarthy • Mr. Noel Keenan • Ms Maria O'Gorman • Ms. Lorraine O'Sullivan
Attendance (Executive Members):	• Mr Colm McEvoy, Chief Executive (CE) • Ms Ann O'Dwyer, Director of Schools, Youth and Music (SYM) • Mr Owen O'Donnell, Director of Further Education and Training (FET) • Ms Maria Brennan, Director of Organisation Support and Development (OSD) • Ms Betty Corkey, Head of Corporate and Procurement • Mr. Pádraig O'Sullivan, Head of Technology, Estates and Sustainability • Ms. Heather Shanahan, Head of Finance • Ms. Gráinne Mulvihill, Corporate and Procurement Department • Ms. Catherine Horgan Executive Support
	CONFLICT OF INTEREST/DISCLOSURE OF INTERESTS
	As per Section 1.18 of Circular Letter (CL) 0002/2019, a conflict of interest form was circulated to each Board Member before the meeting for signature. An Cathaoirleach reminded members re the conflict of interest form at the start of the meeting.

	There were no conflicts of interest disclosed relevant to the meeting's agenda items, as discussed.
10/2024/1	**APOLOGIES AND CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN**
1.1	Apologies were noted for the following Board members: • Cllr. Liam Nolan • Cllr. Maura Healy Rae • Ms. Annette Steinborn • Mr. John O'Connor • Ms. Katherina Broderick
1.2	**Condolences/Comhbhrón** An Cathaoirleach expressed her sympathy and that of the Board to: • Mr. Johnnie Wall, former Board member on the death of his wife Ms. Tina Wall • Ms. Maryanne Lowney, Coláiste Gleann Lí on the death of her father Mr. Patrick Joseph (P.J.) Lowney • Ms. Lisa de Róiste, Gaelcholáiste Chiarraí on the death of her aunt Ms. Nora Moran • Mr. Vincent Murphy, Coláiste na Sceilge on the death of his grandmother Ms. Christina Riordan • Ms. Mary Keane, Castleisland Community College (CC) on the death of her uncle Mr. Michael McAndrews • Ms. Caroline O'Sullivan, Kerry College Monavalley Campus on the death of her aunt Ms. Ann Stritch • Ms. Ruth Murphy, Kenmare Further Education and Training (FET) Centre on the death of her mother Ms. Noreen McCarthy • Mr. Bryan O'Leary, Castleisland Community College on the death of his grandmother Ms. Elizabeth O'Leary • Ms. Breda Dillon, Killarney Community College (CC) on the death of her mother-in-law Ms. Joan Dillon • Ms. Karen Sheehan, Killarney Community College (CC) on the death of her aunt Ms. Marie Barrett • Ms Lorraine Cosgrave, Killarney Community College (CC) on the death of her father Mr. Fergus Cosgrave • Mr Jeremy Wrenn, Head Office, on the death of his father-in-law, Mr. Fergus Cosgrave
10/2024/2	**CONGRATULATIONS COMHGHAIRDEAS**

2.1	**Congratulations/Comhghairdeas** An Cathaoirleach shared congratulations to the following: • All the Kerry ETB Schools Junior Certificate students who received their results on October 9th, 2024. • Coláiste na Ríochta student Kasia Witkowska on winning the best overall Junior Certificate Technology project. • Scoil and Ghleanna, Scoil Náisiúnta Phobail on receiving Gaeltacht School status. • Coláiste na Sceilge student Cathal O'Sullivan who was awarded with a prestigious Naughton Scholarship at a ceremony held in Trinity College Dublin on Saturday October 12th 2024.
10/2024/3	**MINUTES** **MIONTUAIRISCÍ**
3.1	The minutes of the Board meeting held on September 10th, 2024, were presented to the Board for approval. **Proposed: Mr. Michael Larkin McCarthy** **Seconded: Cllr. Angie Baily** The minutes were adopted and signed at the meeting by an Cathaoirleach. The minutes of the Board meeting held on October 15th, 2024, were presented to the Board for approval. **Proposed: Ms. Lorraine O'Sullivan** **Seconded: Mr. Noel Keenan** The minutes were adopted and signed at the meeting by an Cathaoirleach.
10/2024/4	**MATTERS ARISING FROM MINUTES** **NITHE ATÁ AG ÉIRÍ AS NA MIONTUAIRISCÍ**
4.1	**Standards in Public Office Statement of Interest (SIPO)Forms** The Head of Corporate and Procurement reminded Board Members that had not returned their SIPO forms of the need to return them. It was agreed that follow up communications will issue from the Corporate and Procurement Department to relevant Board Members.
4.2	**Killarney National Parks and Wildlife Services (NPWS)** – *see Further Education and Training Report Section 7.2 from May 28, 2024, Board meeting* The Board was advised that this matter has been fully addressed. Kerry ETB, on October 9th, 2024, signed a Service Level Agreement (SLA) with the NPWS

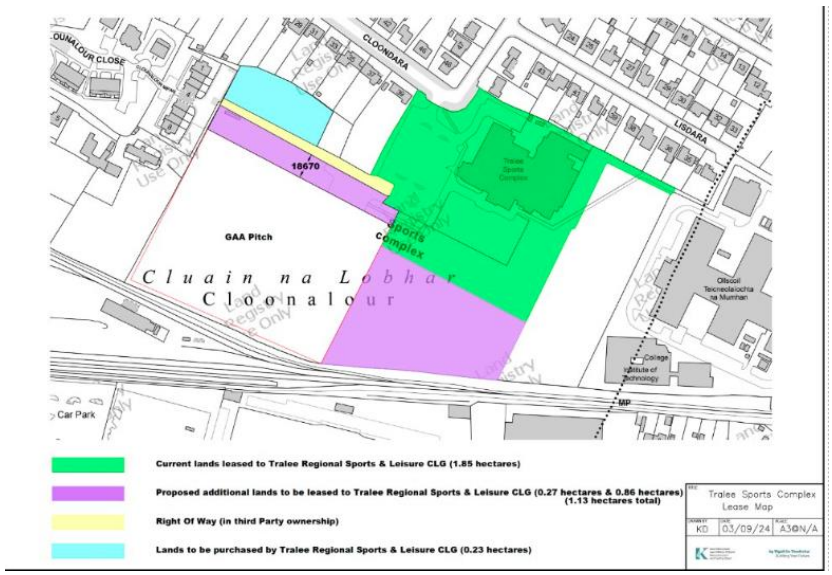
	addressing this matter fully, with the agreement of all involved, including staff representative unions. Cllr. Niall Kelleher thanked all involved for finalising matters.
4.3	**High Court Summons, Pension Proceedings** – *see Organisation Support and Development Report Section 7.3 from May 28, 2024, Board meeting* The Director of OSD advised that there was no further update currently re this matter.
4.4	**Kerry College Killarney Campus Building Project** – *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* The Board was advised that on January 12th, 2024, Kerry ETB submitted the Preliminary Business Case for the FET College of the Future (CoTF) for the development of Kerry College Killarney Campus on the Sara Lee site in Killarney. Members of Kerry ETB's senior management met with SOLAS in relation to this matter on April 23rd, 2024, where the proposal was reviewed in detail with SOLAS and Department of Further and Higher Education, Research, Innovation and Science (DFHERIS). At the April 23rd meeting the original monetary cost of the site when acquired by Kerry Co. Co. was queried. Kerry ETB were requested to confirm same with Kerry Co. Co. In addition, further feedback at the meeting addressed the need for greater focus on hospitality and the experience economy. Kerry ETB received a letter from SOLAS dated June 11th, 2024, addressing initial feedback from the session on April 23rd, 2024. This communication addressed the need for the refinement of the Preliminary Business Case (PBC), as was being requested by SOLAS nationally to ensure targeted funding under the College of the Future (CoTF) fund. Greater focus on hospitality and the experience economy was required. This letter also addressed the need to establish the original site cost. In terms of the Preliminary Business Case re-submission, two dates were set out for re-assessment, September 2024 and January 2025. SOLAS also committed to providing technical resources to each ETB to assist with the project. In addressing the site valuation matters, in late June 2024 Kerry ETB received confirmation, form Kerry Co. Co., of the relevant figure in respect of the Tailte Éireann site valuation. On July 1st, 2024 SOLAS were formally advised of this figure. Throughout July 2024, communications were ongoing with SOLAS re this matter. An email received on July 15th, 2024 form SOLAS, again addressed the need to establish the original site costs. This email advised that if Kerry ETB could establish

	the site cost with Kerry Co. Co., SOLAS would instruct the ETB to commence the site acquisition process and support its execution. On July 18th, 2024, Kerry ETB received confirmation from Kerry Co. Co. as to the purchase price paid by Killarney Urban District Council for the property in January 2006. This information also was communicated to SOLAS July 18th, 2024, by email. The Board was advised of the Tailte Éireann site valuation and the purchase price paid by Killarney Urban District Council in 2006, these figures were detailed in the CE and Head of TES Board meeting reports. Members noted that the purchase price and valuations remained confidential in accordance with Schedule 3 Paragraph 13 of the Education and Training Boards Act 2013. A further email was received from SOLAS on July 22nd, 2024, addressing the December 2023 Infrastructural Guidelines Strategic Assessment / Preliminary Business Case Process. At a subsequent meeting organised by SOLAS on July 31st, 2024, the requirements of the December 2023 Infrastructural Guidelines Strategic Assessment / Preliminary Business Case Process were reviewed with SOLAS addressing the need for Expressions of Interest (EOI) for site selection. SOLAS was advised by Kerry ETB at the July 31st 2024 meeting, that this site selection process had commenced in May 2021 with Kerry ETB adhering to the provisions of Circular 17/2016, "Policy for Property Acquisition and for Disposal of Surplus Property" and the provisions of Circular 11/15, "Protocols for the Transfer and Sharing of State Property Assets". Following the July 31st, 2024, meeting, CE of Kerry ETB met the Assistant Secretary, Corporate Services and Capital Division, DFHERIS in relation to this matter. At this meeting the CE addressed the site selection process pursued by the ETB (letter dated August 8th, 2024). A summary of the steps taken since May 2021 was attached to the August 8th, 2024, letter. Communications with SOLAS and DFHERIS are ongoing and a further meeting is scheduled with the CE Kerry Co. Co, Wednesday October 30th, 2024. This matter was discussed at length with the following matters noted: • The strategic importance to Killarney, Kerry and the South West of this FET College of the Future (CoTF) Campus development • The alignment of the proposed development focused on the hospitality and the experience economy with the local and regional economy needs. • The need to consider learner/student accommodation needs that may emerge Following the discussion re the proposed development, the site, its valuation etc., as per the provisions of the ETB Act Section 12(2)(n) the Board unanimously approved the executive to proceed in engaging with Kerry Co. Co. to progress the

	site acquisition for the figure specified in the Tailte Éireann valuation, subject to Department approval. **Proposed: Cllr. Niall Kelleher** **Seconded: Mr. Michael Larkin McCarthy** A further update will be provided at the next ETB Board meeting.
4.5	**Rent Review for Unit 102, Centrepoint** – *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* Members were advised that the rent review for Unit 102 memo was to be signed and sealed at the ETB Board meeting on October 29th, 2024.
4.6	**Lease (FET) for 'Ansaldo'- Block F Monavalley** – *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* In addressing the background to this matter, members were advised that Kerry ETB and previously FÁS has leased this building (since 1998) for use as training workshops. Members were advised that the ETB Board meeting minuets of March 26th, 2024, has a detailed account of this matter. In December 2022 Kerry ETB received communications from Murphy Ramsey Walsh Solicitors and the Landlord (Manor Capital Properties) with the agreed revised lease terms following the lease renewal. The revised terms as agreed in December 2022 were as follows: • Annual rent for the property of €50,000 per annum, excluding VAT, plus • €2,500 plus VAT per annum for the land located at the rear of the property • Lease term 15 years with 10-year break clause It was noted that the land at the rear of the building is in use by the Kerry College Monavalley Campus for overhead lines practical's etc. Following Board approval, Kerry ETB submitted the lease to DFHERIS for approval on March 8th, 2023. DFHERIS approval was confirmed by letter of September 21st, 2023. Subsequently in September 2023, prior to finalisation of matters, the landlord advised that they intended to change the terms that were agreed in December 2022 for the use of the land at the rear of the building from €2,500 p.a. to the following: • €2,500 per annum for one year, • €7,500 per annum for three years, or • €12,000 per annum for 10 years

	Kerry ETB was not agreeable to this change in the agreed terms. Mediation was suggested by the landlord; however, Kerry ETB did not agree to same as the lease terms had been agreed by all parties and approved by DFHERIS. This matter remains unresolved with further communications received from MRW Solicitors dated July 23rd, 2024, and October 16th, 2024 (as detailed in the Head of Technology, Estates and Sustainability report). The current revised terms proposed by the landlord are: • Annual rent for the property of €50,000 per annum, excluding VAT, plus • €2,500 per annum for the land located at the rear of the property for 5 years only • Lease term 15 years with 10-year break clause A further update will be provided at the next Board meeting.
4.7	**Gift of Land, Tahilla Community National School** – *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* Further to this matter, which was addressed at the May 28th, 2024, Board meeting, members were advised that a letter was received on April 18th, 2024 from Tahilla CNS Board of management (BOM) advising their acceptance of the gift of land adjacent to the school from Mr. JG, subject to ETB Board and DE approval. Following review of this proposal at the ETB Board meeting on May 28th, 2024, at the request of the CE, it was agreed to seek DE feedback in relation to the proposal. The letter to the DE, dated September 10th, 2024 sought clarification from the DE regarding the future funding of works on this land given that the school building is leased by the ETB from St. Brendan's Trust and this land to be gifted to the ETB would be in the ownership of the ETB. This matter remains with the DE. A further update will be provided at the next Board meeting.
4.8	**District Court Notice, Kerry College Killarney Admissions Office –** *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* The Board was advised that this matter has been fully resolved.
4.9	**Lease for Lyreacrompane National School (NS)** – *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* The Board was advised that Kerry ETB has agreed with the Diocese of Kerry (St Brendan's Trust) for the transfer of the patronage of Lyreacrompane NS to Kerry ETB as a Community National School from September 2024.

	Lyreacrompane CNS is Kerry ETB's fourth Community National School (CNS). Work is ongoing addressing the lease terms and when they are finalised the lease will be presented to the ETB Board for approval. It is expected to have matters finalised for the next ETB Board meeting.
4.10	**Legal Summons by Infrastructure Investment Fund ICAV acting in respect of its sub-fund, the Valley Healthcare Fund (Head Office Service Charges) –** *see Technology, Estates and Sustainability Report Section 7.5 from May 28, 2024, Board meeting* Members were advised that communications have been ongoing with the Landlord of the Centrepoint building (Valley Health Care) re the provisions in the lease for the payment of oil consumption and the application of a blanket 23% rate of VAT on all service charges. These matters arose following the rent review in August 2020 by the new landlord and the landlord had initiated High Court proceeding re these matters, with court proceedings deferred until October 22nd, 2024. Lee Strand Construction and Development Limited were the landlord when the ETB entered the lease in 2015. In line with legal advice, the ETB has agreed to the payment of the oil consumption on a sq. footage basis and the 23% rate of VAT on service charges. The landlord had requested that the ETB sign "side letters" to the lease committing to making these payments for the duration of the lease, avoiding the possibility of any future disputes re same. Kerry ETB engaged with the DE in relation to this request to sign "side letters". Members were advised that following receipt of legal advice and extensive engagement with the DE ETB Financial, Administrative and Personnel Unit, Kerry ETB signed the "side letters" re: oil and service charges on October 18th, 2024. As the signed documentation – "side letters" - were received by the Landlords legal agents in advance of the High Court sitting on October 22nd, 2024, the case was ceased by the landlord at no cost to Kerry ETB. This matter is now fully resolved. Members were advised that the current lease expires in July 2027, with a break clause in July 2025. Related to this matter, the CE advised members that various options for the future of the ETB Head Office had been under consideration by the previous Board. The move to a permanent ETB Head Office remains the preferred solution. The CE referenced the submission made to DE and DFHERIS re the possible acquisition of the MTU South Campus by the ETB. This acquisition proposal remains under consideration and would provide a permanent solution for the ETB Head Office in addition to a reduction in the need for leased FET workshop/training/classroom

	accommodation, contributing to a saving, in rent of c. €1,000,000 p.a. for FET leased buildings. In addition, if successful, this acquisition would negate the need for an extension for Coláiste Gleann Lí as the Kerry College 1974 Building could be returned to the school. Traditionally, the then Tralee Community College operated form both the 1974 building (currently Kerry College) and 1984 building (currently Coláiste Gleann Lí). Members were very supportive of this proposal and the CE advised discussion with the DE and DFHERIS as ongoing.
4.11	**Tralee Sports and Leisure Centre Company Limited by Guarantee –** *see Technology, Estates and Sustainability Report* The Board was advised that Kerry ETB, on July 29th, 2024, received a letter from the Manager of Tralee Regional Sports and Leisure Company Limited by Guarantee addressing the following: • Seeking extension of the current lease to 30 years and • The inclusion of additional Kerry ETB lands in the lease (area highlighted in purple on the map presented). • Future development plans for the centre as per the recent Part 8 planning approval. Members were advised that the Part 8 approval addresses: • Additional Car Parking • New 3 Lane Swimming Pool • Construction of a Second Sports Hall • New Sports Therapy Suite • New all-Weather Pitches and Multi-Use Games Area. 

	It was noted that the current lease of land to the Company from Kerry ETB is due to expire January 31st, 2047 (30-year lease). A condition of most funding applications is a lease for a minimum of 20 years remaining. As the current 30-year lease has 23 years remaining, it is considered prudent to address extending the current lease term at this time given the level of future development planned and associated timeline. Extending the current lease to 2054 (30 years form 2024) is a Board decision, as per the provisions of the ETB Act 2013 section 12(2)(n). Members were asked to consider this matter which will be presented for approval at the next ETB Board meeting. In addition, members were advised that the Company is purchasing the area of coloured in blue on the map presented. This land purchases is being funded directly by the Company. An Cathaoirleach welcomed the update and the progressive nature of the proposed developments at the Centre.
10/2024/6	**GOVERNANCE** **RIALACHAS**
6.1	**Corporate Risk Register update – Information Security Systems Management (Cybersecurity)** In line with the provisions of Circular 0002/2019, Provision 7.3, the Director of OSD and Chief Risk Officer Ms. Maria Brennan informed the Board that the Corporate Risk Register has been updated to include Information Security Systems Management as part of the Cybersecurity Baseline Standards. Kerry ETB is currently engaged with the support of IAU-ETB/KOSI in the development of an Information Security Management System. This system will include an ISMS Manual, Risk Assessment, Risk Treatments including Policy Development and Controls. In addition, Kerry ETB have established a Kerry ETB Information Security Management Systems (ISMS) Team to plan and implement the Information Security Management System aimed at protecting the confidentiality, availability, and integrity of information and associated assets from threats and vulnerabilities. Work is ongoing in ICT security policy development informed by a gap analysis. In this regard the following Policies were presented to the Board for approval: 1. Firewall Policy 2. Physical and Environmental Security Access Control Policy 3. Desk and Screen Policy for Safeguarding Sensitive Information 4. Framework for development of Policies and Procedures

	The policies as presented by the Director of OSD were approved by the Board. **Proposed: Ms. Lorraine O'Sullivan** **Seconded: Cllr. Norma Moriarty** It was also noted that the IAU-ETB/KOSI Progress Audit to be conducted November 2024 on Section C1-C3 of the ISMS Manual. Cybersecurity will be a separate standing agenda item for all future Board meetings.
6.2	**Kerry ETB Board Meeting Draft Standing Orders – for approval** As per the provision of Schedule 3 Paragraph 5 (5), ETB Act 2013 the Board is required to have standing orders in place. Schedule 3, Paragraph 5 (5): Subject to the provisions of this Act every education and training board shall regulate, by standing orders or otherwise, the procedure to be observed and the business to be transacted at its meetings. The Draft standing orders were referenced at the September 10th, 2024, Board meeting and circulated in advance of the meeting for members review and consideration. The Board unanimously approved the standing orders as presented for approval. **Proposed: Ms. Lorraine O'Sullivan** **Seconded: Mr. Daniel O'Donoghue** PDF copies of the approved and signed standing orders will be circulated to all members.
6.3	**Board Members Training** Further to the new Board induction training, members were advised by the Head of Corporate and Procurement, that Governance Training for Board Members provided by the Institute of Public Administration (IPA) is scheduled for December 7th, 2024 (half day session). This training is in addition to the ETBI/IPA training and will focus on the new Code of Governance. Re the ETBI/IPA Session 2, the Head of Corporate and Procurement will engage with ETBI to confirm the date. The first session for Kerry ETB Board members took place on Wednesday October 9th, 2024, in person. Session 2 will be on-line. Expressions of interest (EOI) were sought for Interview Panel Training for Board Members. The Human Resources Department will provide training to Board

Members who have expressed an interest in sitting on interview boards. The following Board Members expressed an interest in Interview Panel Training:

Cllr.	Angie	Baily
Cllr.	Niall	Kelleher
Cllr.	Teddy	O'Sullivan Casey
Cllr.	Tommy	Griffin
Mr	Joseph	Brennan
Ms	Lorraine	O'Sullivan
Mr	Daniel	O'Donoghue
Mr	Michael	Larkin McCarthy
Mr	Noel	Keenan
Ms	Maria	O'Gorman

Further details re the training will issue to Board Members in due course.

6.4

Establishment of Section 44 Committees (CL 0002/2019

Further to the establishment of the section 44 committees as was addressed at the October 15th, 2024, Board meeting, Kerry ETB members/nominees' appointments were addressed.

<u>Community National Schools (CNS)- Boards of Management</u>

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11)(a) of the ETB Act 2013 - Primary/Community National Schools

- **Two Mile Community National School**

Mr. Padraig O Donnabháin (Chair)	Mr. Pat Sayers (Retired Principal)

- **Tahilla Community National School**

Mr. Padraig O Donnabháin (Chair)	Mr. Dermot Healy

- **Scoil and Ghleanna, Scoil Náisiúnta Phobail**

Mr. John O'Connor (Chair)	Mr. Patrick Brennan

- **Lyrecrompane Community National School**

Mr. Padraig O Donnabháin (Chair)	Cllr. Liam Nolan

Post Primary Schools - Boards of Management

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11)(a) of the ETB Act 2013 – Post Primary Schools

- **Castleisland Community College**

Cllr. Angie Bailey (Chair)	Ms. Lorraine O'Sullivan

- **Causeway Comprehensive**

Ms. Maria O'Gorman (Chair)	Mr. Seamus Falvey	Mr. Daniel O'Donoghue

- **Coláiste Gleann Lí**

Ms. Annette Steinborn (Chair)	Cllr. Terry O' Brien

- **Coláiste na Ríochta**

Mr. Noel Keenan (Chair)	Cllr. Liam Nolan

- **Coláiste na Sceilge**

Cllr. Norma Moriarty (Chair)	Mr. Michael Larkin McCarthy	Cllr. Teddy O'Sullivan Casey

- **Gaelcholáiste Chiarraí**

Cllr. Paul Daly (Chair)	Mr. Noel Keenan

- **Killarney Community College**

Cllr. Marie Maloney (Chair)	Cllr. Niall Kelleher

- **Killorglin Community College**

Cllr. Tommy Griffin (Chair)	Mr. Joe Brennan

Youthwork Committee

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11) of the ETB Act 2013 – Youthwork Committee

Ms. Katherina Broderick (Chair)	Cllr. Angie Bailey

Music Generation Kerry Committee

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11) of the ETB Act 2013 – Music Generation Committee.

Cllr. Deirdre Ferris (Chair)	Cllr. Anne O'Sullivan

Youthreach Board of Management

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11)(a) of the ETB Act 2013 – Youthreach Board of Management

Mr. Noel Keenan (Chair)	Ms. Lorraine O'Sullivan

Kerry ETB College of Further Education (Kerry College) - Governance Board

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11)(b) of the ETB Act 2013 – Kerry College.

Cllr. Anne O'Sullivan (Chair)	Cllr. Norma Moriarty

Further Education and Training Centres - Governance Board

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11)(b) of the ETB Act 2013 – Further Education and Training Centres

Cllr. Niall Kelleher (Chair)	Cllr. Deirdre Ferris

Technology, Estates and Sustainability Committee

Kerry ETB Board members/nominees' appointments in accordance with Section 44(11) of the ETB Act 2013 – Technology, Estates and Sustainability

Cllr. Niall Kelleher (Chair)	Cllr. Tommy Griffin	Mr. Daniel O'Donoghue

All the Section 44 Committee Board Members/Nominee's as listed above were appointed.

Proposed: Cllr. Niall Kelleher
Seconded: Mr. Michael Larkin McCarthy

6.5	**Board of Management Nominees as per schedule included in pack for approval** As per the provisions of the ETB Act 2013, Section 44(11), the following appointments were made by the Board.

School	Parent Nominees	Staff Nominees	Kerry ETB Nominee	CEIST Nominee	Non-ETB Principal
Coláiste Gleann Lí	Derek Rusk	Michael O'Sullivan			
	Lisa O'Donoghue	Marie Doody			
Causeaway		Stephen O'Connor	Seamus Falvey	Fr. Gerard Finucane	
	Maura O'Sullivan	Michelle Mulvihill		Celine O'Callaghan	
				Moira Quinlan	
Killorglin CC	Vincent Horgan	Francis Courtney			
	Melissa Van der Wiel	Eva McKenna			
Castleisland CC	Maurice O'Donoghue	JJ Herlihy			
	Noreen Broderick	Emily Ryan			
Coláiste na Ríochta	Daniel O'Donoghue	Bryan Sweeney			
	Marguerite O'Connell Dwyer	Suzanne Lynch			
Killarney CC	Liam Murphy	Mark Walsh			
	Charlotte Cronin	Tara O'Shea Horgan			
Gaelcholáiste Chiarraí	Colum Ó Loinsigh	Fergus Mac Muiris			
	Caroline Morrissey	Deirdre Ní Shíocháin			
Coláiste na Sceilge	Eamon Horgan	Kevin O'Connor		Leonard Hurley	
	Deirdre O'Connor	Gloria O'Driscoll		Bríd Collison	
				Josephine Keating	
Tahilla CNS		Marian Sheehan			
Kerry College					Eamonn Fitzmaurice

All the nominees as listed above were appointed.

	Proposed: Mr. Michael Larkin McCarthy **Seconded: Cllr. Teddy O'Sullivan Casey**
6.6	**Section 45 Committees** **As per the provisions of the ETB Act 2013, the following Board Members appointments were made to the Section 45 committees:** **<u>Finance Committee</u>** Cllr. Norma Moriarty / Mr. Noel Keenan / Mr. Michael Larkin-McCarthy **<u>Audit & Risk Committee</u>** Ms. Maria O'Gorman / Cllr. Anne O'Sullivan / Mr. John O'Connor The above Board Members as listed were appointed to the respective section 45 committees. **Proposed: Mr. Noel Keenan** **Seconded: Cllr. Tommy Griffin** It was noted that adverts are placed seeking external members Expressions of Interest. The full membership of the new section 45 committees to be finalised at the next Board meeting.
6.7	**Tralee Regional Sports and Leisure Company Limited by Guarantee Board of Directors as per the Company Constitution – one vacancy** Mr. Daniel O'Donoghue was appointed to the Board of Tralee Regional Sports and Leisure Company Limited by Guarantee. **Proposed: Ms. Lorraine O'Sullivan** **Seconded: Mr. Noel Keenan**
6.8	**Nominations to the Partnership School Boards of Management as per Deeds of Trust** Members were advised of the current ETB nominees to the following schools BOM's: • Pobailscoil Inbhear Scéine (Kenmare)

	• Scoil Phobail Sliabh Luachra (Rathmore) • Pobailscoil Chorca Dhuibhne (Dingle) It was noted that ETB Board nominee vacancies will be addressed as they arise.
6.9	**Policies for Approval** The following policy, which was circulated in advance of the meeting, was presented by the Director of OSD for approval: • Administration of Medication (Schools) The Board approved the policy as presented. **Proposed: Ms. Lorraine O'Sullivan** **Seconded: Cllr. Norma Moriarty**
6.10	**Kerry ETB Seal as per Schedule 3 of the Education and Training Board Act 2013 Authorisation list** Members were advised that the ETB is required to have an agreed authorised staff list for use of the ETB seal as per the provisions of the ETB Act 2013, Schedule 3, Para 1(2). The following seal user authorised staff list was approved by the Board. • Mr. Padraig O'Sullivan, Head of Technology, Estates and Sustainability • Ms. Betty Corkey, Head of Corporate and Procurement • Ms. Heather Shanahan, Head of Finance • Ms. Aileen O'Connor, Head of Human Resources **Proposed: Cllr. Teddy O'Sullivan Casey** **Seconded: Cllr. Angie Baily** It was noted that this new Authorisation list supersedes the previous authorised staff lists with immediate effect.
6.11	**Acquisition of site – FET College of the Future Killarney – update** Addressed above under Matters Arising Section 4.4
6.12	**Bank overdraft renewal approval as per the provisions of Circular Letter 0066/2014 and ETB Act Sections 12(2)(k) and 49.** The Director of OSD advised that the approval to borrow money is a reserved function as per the ETB Act 2013 Section 12(2)(k). As per the provisions of Circular Letter 0066/2014 and Section12 (2)(k) and Section 49 ETB Act 2013, Board

	approval was requested in principle to renew the current overdraft facility of €2,000,000 for a further 12 months i.e. from 1/11/2014 to 31/10/2025. The Board approved in principle the renewal of the €2,000,000 overdraft as per the provisions of Circular Letter 0066/2014 and Section12 (2)(k) and Section 49 ETB Act 2013. **Proposed: Cllr. Niall Kelleher** **Seconded: Mr. Daniel O'Donoghue** As per the provisions of Circular Letter 000666/2014, the Executive will now engage with the DE to seek the consent of the Minister. This matter will be addressed further at the next Board meeting.

10/2024/7	**CE'S REPORTS & QUESTIONS ON CE'S REPORTS** **TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH AGUS CEISTEANNA ORTHU**
7.1	**Schools Youth and Music Report** The Schools, Youth and Music Report, circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following topics: • Agreed School Priorities Actions for 2024/2025 • Ethos • Child Protection Compliance Report 2023/2024 • Kerry ETB Community National Schools • School FET Pathways/Synergies • Youth Development • Music Generation • Ukrainian and International Protection (IP) It was suggested that management training in place for Middle Management in Schools should be considered for FET Middle Management. Board Members thanked the Director of Schools Youth and Music for her report.
7.2	**Further Education and Training Report** The Further Education and Training Report as tabled addressed the following topics: • Kerry ETB FET Funding Bid

	• 2024 Year to Date beneficiaries • September Intake Kerry College • Norwegian Dive School Visit It was highlighted to the Board that targets for beneficiaries for 2024 have been exceeded. 2024 Planned Beneficiaries 13,740 Actual Year to Date September 13,922 +182 (101%) In addition, the members were advised of the recent Erasmus funded visit of staff from the Western Norway University of Applied Science - October 21st to October 23rd 2024.The Norwegian Delegation of Finn Hansen, General Manager, Diver Education, Western Norway University of Applied Sciences and Johnny Jensen, Senior Executive Officer, Diver Education, Western Norway University of Applied Sciences are assisting Kerry ETB with the development of the commercial diving courses. The visit included the Monavalley Campus Tralee, the Kerry ETB Scuba Diving Course Maharees, Castlegregory and the Caherciveen Marina and ACARD Offices. It was noted that Kerry ETB has a signed Memorandum of Understanding (MOU) with the Western Norway University of Applied Science. Board Members thanked the Director of Further Education and Training for his report
7.3	**Director of Organisation Support and Development Report** The Organisation Support and Development Report, circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following topics: • Governance, Compliance and Risk System • Internal Audit Unit (IAU) Audits 2023/2024 • High Court Proceedings – Addressed under Matters Arising Section 4.3 In terms of the Internal Audit Unit (IAU) Audits 2023/2024 the Board was advised that the Governance and Risk Management Review has been completed and the draft report was received on October 11th, 2024. Management responses will be prepared over the coming weeks. As this was a review, it has no audit opinion. Overall, the review was very positive. It was also noted that: • The Information Security Management System (KOSI) audit is ongoing. • The School Utilisation Recruitment and Utilisation of Teachers audit is ongoing. Board Members thanked the Director of Organisation Support and Development for her report.

7.4

Finance Report

The Finance Report as tabled addressed the following topics:

- Kerry ETB Cash Grants September 30th 2024
- Financial Status
- Annual Financial Statements 2023
- Travel

Kerry ETB Cash Grants September 30th 2024

ITEM	Opening Grant Cash Balance *	Receipts	Payments	Closing Grant Cash Balance
Main Scheme				
Pay			(23,947,545)	
Non Pay			(1,855,394)	
Main Scheme Total	111,400	25,147,663	(25,802,939)	(543,877)
Associated Main Scheme	554,936	1,195,141	(958,552)	791,525
Capital	830,045	23,655,773	(12,903,763)	11,582,055
Further Education	(44,890)	38,807,675	(36,772,996)	1,989,788
Youth Affairs	59,066	1,257,804	(1,121,755)	195,115
Agency	458,742	1,046,186	(972,667)	532,261
Self-Financing	779,686	656,955	(780,108)	656,533

Financial Status
The Head of Finance advised of current strong cash balance position.

Annual Financial Statements 2023
The Board was advised that the Comptroller & Auditor General Audit Team have commenced the 2023 audit of draft Financial Statements.

Travel
The Board was advised that the new online Travel Claim system is now live, and all travel claimants are required to submit their claims through this platform. Training will be provided to those who require same.

An Cathaoirleach thanked the Head of Finance for the report.

7.5	**Technology Estates and Sustainability Report**
	
	The Technology Estates and Sustainability Report, circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following topics:
	
	• ICT Update
	• Sustainability
	  • Kerry ETB Sustainability Strategy
	  • Climate Action
	• Estates – Capital and Projects
	• Estates – Land and Leases
	• Use of the Seal
	• Applications awaiting DE/DFHERIS approval.
	
	Sustainability
	
	Members were advised of the Kerry ETB Sustainability Strategy 2024 – 2026, noting that the Kerry ETB Climate Action Plan 2024 will be presented to the ETB Board for formal approval in November 2024.
	
	The Climate Action Plan 2024 once adopted by the Board will be formally submitted to:-
	• Department of Education.
	• Department of Further and Higher Education, Research, Innovation and Science.
	• Sustainable Energy Authority Ireland (SEAI).
	
	The implementation of the Climate Action Plan 2024 and Sustainability Strategy 2024-2026 will be reported on in the Kerry ETB Annual Report.
	
	Estates – Capital and Projects
	
	The Board was advised that Kerry ETB, on August 12th 2024, submitted four Expressions of Interest to SOLAS for approval under the 2024 Minor Works Fund.
	
	• Moyderwell - Youthreach and ABE/Community Education. (Refurbishment & Fit-Out)
	• Kerry College Clash Campus (Carpark Development)
	• An Tóchar Adult Education Centre, Dromkeen West, Causeway (Energy & Fabric Upgrade)
	• Tech Amergin Further Education & Training Centre, Spukane, Waterville (Extension)
	
	The Board noted that the following projects were deemed completed in Quarter 3 2024:
	
	• T9 Kerry College, Monavalley Campus - Installation of three new Electrical & Plumbing Apprenticeship Workshops and Refurbishment of Accommodation
	• O'Connell Further Education and Training Centre - Refurbishment, Upgrade and Additions to the Centre
	
	It was also noted that the following projects were due to commence in Quarter 4 2024:

- Kerry College, Class Campus - Replacement and Insulation of Flat Roof, Skylights and associated M&E Plant

Estates – Land and Leases

As was addressed at the May 28th 2024 Board meeting, members were advised that, following a review, the Department of Education did not approve the acquisition of house and lands adjacent to Colaiste na Ríochta in Listowel. The ETB were advised of this decision by email, dated May 9th , 2024. In addressing same, as was agreed at the Kerry ETB Board meeting May 28th 2024, a letter appealing this decision and seeking a meeting issued June 24th 2024 and Kerry ETB awaits a reply in this regard.

Use of the Seal
The Board was informed that in accordance with Schedule 3, Paragraph (2) of the Education and Training Boards Act 2013, the seal of Kerry Education & Training Board was used on October 18th 2024 to sign and seal the following documents:-

- Side Letter between Kerry ETB and Valley Healthcare with respect to Unit 102, Centrepoint Tralee – (as per matters arising Section 4.10).
- Side Letter between Kerry ETB and Valley Healthcare with respect to Unit ABC, Centrepoint Tralee (as per matters arising Section 4.10).

The Board was informed that in accordance with Schedule 3, Paragraph (2) of the Education and Training Boards Act 2013, the seal of Kerry Education & Training Board will be used to sign and seal the following documents at the October 29th 2024 ETB Board meeting:

- Rent Review Memo between Kerry ETB and Valley Healthcare with respect to Unit 102, Centrepoint Tralee (as per matters arising Section 4.5).
- Lease between Kerry ETB and Mr. John Keane with respect to the lease of Ivy House, New Street, Killarney for Killarney Pathways.

Applications awaiting DE/DFHERIS approval.

The Board was advised that Kerry ETB awaits DFHERIS/SOLAS approval for the following matters:

- The rent review and lease extension between Kerry ETB and Kelcol Ltd. with respect to Kerry College Denny St. Campus.

This unit comprises :-

a) 5 Denny St Tralee (GF, 1st Floor and 2nd Floor)
b) 6 Denny St Tralee (1st Floor and 2nd Floor)
c) 7 Denny St Tralee (1st Floor and 2nd Floor)
d) 8 Denny St Tralee (GF, 1st Floor and 2nd Floor)

- Licence Agreement between Kerry ETB and Castleisland AFC with respect to the astro-turf pitch at Castleisland Community College
- Boundary Rectification between Kerry ETB and Mr. Wym O'Connell, Causeway.
- Land acquisition at Tahilla CNS

	An Cathaoirleach thanked the Head of Technology, Estates and Sustainability for his report.
7.6	**Health and Safety Report** The Health and Safety Report, circulated in advance of the meeting, was noted by the Board and taken as read. The report presented by the Director of OSD, addressed the following topics: • Risk assessment program • Safety Management System • Training Program Board Members noted the Health and Safety report as presented.
7.7	**Chief Executive's Report** The Chief Executive's Report, circulated in advance of the meeting addressed the following matters: • Monthly Senior Management Meeting Structures • Update on New ETB Board Establishment • Oversight Agreement 2023-2025 (Early Warning Report Q2 and Q3 2024) • Blended Working Policy Update • ETB Head Office Accommodation update • Western Norway University of Applied Sciences – Diver Education Programme • Tralee Regional Sports and Leisure Centre Company Limited by Guarantee • Over the Water Sports Centre Company Limited by Guarantee • Killarney FET College of the Future Proposal (Addressed under Matters Arising Section 4.4) **Oversight Agreement 2023-2025 (Early Warning Report Q2 and Q3 2024)** Paragraph 8.2 of the Oversight Agreement between Kerry ETB and the Department of Education outlines the ETB's responsibility to complete and return a quarterly Early Warning Report. An Early Warning Report notifies the Department of potential issues/risks and/or control failures occurring in Kerry ETB. The Board was advised that Kerry ETB has returned Nil Early Warning Report to the Department of Education for Quarter 2 and Quarter 3 of 2024. An Cathaoirleach thanked the CE for his report as presented
10/2024/8	**CORRESPONDENCE** **COMHFHREAGRAS**

8.1	**DES Correspondence/Comhfhreagras na Roinne O&S:** Noted as listed
8.2	**DES Circular Letters/Imlitreacha na Roinne O&S:** Noted as listed
8.3	**DES Press Releases/Preaseisiúintí na Roinne O&S:** Noted as listed
8.4	**ETBI Correspondence/Comhfhreagras BOOÉ:** Noted as listed
8.5	**SOLAS Correspondence/Comhfhreagras SOLAS:** Noted as listed
8.6	**Other Correspondence/Comhfhreagras Eile:** Noted as listed
10/2024/9	**MEMBERS BUSINESS** **GNÓ NA MBALL**
9.1	*Nil at this time*
05/2024/10	**ANY OTHER BUSINESS WITH THE PERMISSION** **OF AN CATHAOIRLEACH** **AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH**
10.1	Next Kerry ETB Board meeting is scheduled for **Tuesday November 26th, 2024, at 3.00 p.m., The Rose Hotel, Dan Spring Road, Tralee**. ***This concluded the business of the meeting.***