

Kerry Education and Training Board
Bord Oideachais agus Oiliúna Chiarraí

Minutes of Kerry Education and Training Board (Kerry ETB) Meeting held in the Manor West Hotel, Tralee on Tuesday December 3rd 2019.

In Attendance:

Cllr. Michael Cahill
Cllr. Cathal Foley
Cllr. Fionnán Fitzgerald
Cllr. Norma Moriarty
Cllr. Aoife Thornton
Ms. Maryanne Slattery
Ms. Catherine O’Sullivan
Mr. Tim Daly
Mr. Zaid Kassoob

Cllr. Pa Daly
Cllr. Jim Finucane
Cllr. Marie Moloney
Cllr. Niall O’Callaghan
Mr. Joe Brennan
Mr. Noel Keenan
Ms Maria O’Gorman
Ms. Joan McCrohan

Mr. Colm Mc Evoy, Chief Executive Officer (CEO), Ms. Maria Brennan, Director of Organisation Support and Development (OS&D), Ms. Ann O’Dwyer, Director of Schools, Youth and Music, Mr. Tommy Conroy, Finance Officer, Mr. Danny Kerins, Head of Corporate Support and Capital Development (CS&CS), Mr. Pdraig O’Sullivan, Capital & Buildings Officer, Ms. Patricia Tierney, Executive Support and Ms. Karen Griffin, Executive Support were also in attendance.

As a mark of respect to Owen and Lynda O’Donnell on the recent death of their Son, Aaron, the meeting was adjourned by fifteen minutes as per Section 18 of the Standing Orders.

As per Schedule 3, Paragraph 10, Section 3 of the (ETB) Act 2013 and the Agenda Notice, no conflicts of interest were declared at the commencement of the meeting. As per Section 1.18 of Circular Letter 0002/2019, the conflict of interest document was circulated to be signed prior to the meeting to the Members (a copy of which is attached to the minutes).

12/2019/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	<p>Apologies/Leithscéalta: Apologies for their absence were received from:</p> <ul style="list-style-type: none"> ➤ Cllr. Terry O’Brien
1.2	<p>Condolences/Comhbhrón: An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> ➤ To Mr. Owen O’Donnell & Ms. Lynda O’Donnell, Head Office and Monavalley Campus, on the death of their Son, Mr. Aaron O’Donnell. ➤ To Ms. Louise McCarthy, Killarney Community College, on the death of her Uncle, Mr. Jerome McCarthy. ➤ To Ms. Nina Mansfield, Coláiste Gleann Lí, on the death of her Brother-in-Law, Mr. Kenneth Gaffney.

	<ul style="list-style-type: none"> ➤ To Ms. Máire Lyons, Coláiste na Ríochta, on the death of her Uncle, Mr. Thomas O'Connor. ➤ Ms. Marie Lynch, Head Office, on the death of her Uncle, Mr. Donie Lynch. ➤ Ms. Louise Crowley, Coláiste Gleann Lí, on the death of her Mother, Ms. Vera Ryan. ➤ Ms. Angela Dowling, Coláiste na Ríochta, on the death of her Uncle, Mr. Jack Sheehan. ➤ Ms. Josephine Burke, Causeway Comprehensive School, on the death of her Aunt, Sr. Mary Dechastel. ➤ To the Murphy family, on the death Mr. Michael Murphy, a learner in Tech Amergin. ➤ Donal Ó Runnaidh, Gaelcholáiste Chiarraí, on the death of his Uncle, Mr. Liam Reidy. ➤ To Ms. Cynthia Deane, retired CEO of Carlow and Kilkenny ETB, on the death of her Son, Mr. John Fogarty. ➤ To Ms. Bernadette Corridan, Head Office, on the death of her Mother, Ms. Maureen Power.
12/2019/2	CONGRATULATIONS COMHGHAIRDEAS
2.1	<p>Congratulations to/Comhghairdeas:</p> <ul style="list-style-type: none"> ➤ To Killorglin Community College sixth year student, Timothy McGrath, on being named the overall winner of SciFest 2019 and his teacher, Ms. Marieke O'Connor who won the Teacher of Excellence Award for her mentoring of Timothy. ➤ To Castleisland Community College on their Climate Action and Air Quality Youth Award in the 2019 Tidy Towns Competition. ➤ To all involved with the successful launch of the Tralee Language Plan public consultation process held at Gaelcholáiste Chiarraí on Friday November 15th 2019 by Minister of State for the Irish Language, the Gaeltacht and the Islands, Seán Kyne T.D.

12/2019/3	MINUTES OF THE LAST BOARD MEETING - FOR ADOPTION MIONTUAIRISCÍ ÓN gCRUINNIÚ DEIREANACH BOIRD - LE GLACADH
3.1	<p>The minutes of the Kerry ETB Board Meeting held on October 22nd 2019 were adopted and signed.</p> <p style="text-align: center;">Proposed: Mr. Noel Keenan Seconded: Cllr. Pa Daly</p>

	<p>The minutes of the Kerry ETB Board Meeting held on November 9th 2019 were adopted and signed.</p> <p style="text-align: center;">Proposed: Mr. Zaid Kassoob Seconded: Cllr. Norma Moriarty</p>
12/2019/4	MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ
4.1	<p>Gaelcholáiste Nua School Building Project Update</p> <p>The following update was provided by Mr. Pdraig O’Sullivan, Capital and Buildings Officer:</p> <ul style="list-style-type: none"> ➤ The Design Team are currently addressing tender documents (Stage 2B) for the project which were submitted to the Department of Education & Skills (DoES) on November 26th 2019. ➤ Meeting scheduled with DoES to discuss Kerry ETB Building Projects on December 10th 2019. ➤ At this meeting, Kerry ETB will request approval to commence prequalification of prospective tenderers for Main Contractor and also M&E Specialist sub-contractor to run parallel with this approval of Stage 2B. ➤ The Enabling Works Contract is currently being completed by the contractor Denis Moriarty The Kerries Ltd. ➤ We are currently in communication with Kerry County Council regarding the progression of the Part 8 Rd and Secure Site Entrance at Lee Strand. <p>With regard to the Part 8 Road, it was explained that the DoES would be seeking assurance that the new road would be completed to the point of entrance for the new school as per the approved planning permission.</p> <p>The continued support of Kerry County Council for this project was noted.</p> <p>The Board in welcoming this update noted the importance of completion of the new road in parallel with the construction of the new school building.</p> <p>A further update will be provided at the next meeting.</p>
4.2	<p>Listowel School Accommodation</p> <p>The Capital and Buildings Officer, Mr. Pdraig O’Sullivan provided the following update:</p> <ul style="list-style-type: none"> ➤ Kerry ETB continues to be actively engaged with the DoES re this matter ➤ Student numbers scheduled to increase in coming academic year 2020/2021. Kerry ETB have applied to the DoES for funding for Temporary Accommodation (Prefab) for the academic year 2020/2021.

	<p>➤ Kerry ETB have been granted funding of €70,000 for the introduction of Applied Technology as a new subject within the school for the academic year 2020/2021.</p> <p>At the meeting scheduled with the DoES for December 10th 2019, this project will be raised.</p> <p>The Board noted this update.</p>
4.3	<p>Listellick National School Building Project Update</p> <p>The Capital and Buildings Officer, Mr. Pdraig O’Sullivan provided the following update:</p> <ul style="list-style-type: none"> ➤ Stage 2A Report lodged to the DoES on August 23rd 2019. ➤ Stage 2A meeting with the DoES and the Design Team in Tullamore scheduled for December 10th 2019. ➤ It is anticipated that following this meeting the Design Team will lodge the planning application with Kerry County Council in early January 2020. <p>On December 10th 2019, the meeting with the DoES will specifically address the Stage 2A Report and representatives of the School BOM have been invited to attend this meeting by the ETB.</p> <p>The Board welcomed this update.</p>
4.4	<p>Killorglin Community College Proposal Update</p> <p>The Capital and Buildings Officer, Mr. Pdraig O’Sullivan provided the following update:</p> <ul style="list-style-type: none"> ➤ Meeting held on November 15th 2019 with Killorglin Sport Complex Centre Limited Management Committee. ➤ At this meeting there was a general consensus that matters pertaining to the current lease must be formalised given the current management structure of Killorglin Sports Complex. <p>The Board were advised that this process, as set out by our legal advisors, will involve the surrender of the existing lease, which started on March 15th 1983 for 99 years, back to the ETB. The 99-year lease was with the then Killorglin Community Council. The ETB will then issue a new lease for the duration of 66 years to Killorglin Sports and Leisure Company Limited by Guarantee.</p> <p>The terms of the 66-year lease will make provision for Kerry ETB to have two nominated members on the Board of the Company. Following consideration of the matter, the Board recorded its agreement with the proposed process as advised by our legal agents for addressing this matter.</p> <p style="text-align: center;">Proposed: Mr. Noel Keenan Seconded: Cllr. Fionnán Fitzgerald</p>

	<p>The CEO advised that the surrender of the existing lease (99-year) and the issuing of the new lease (66-year) will require the approval of the DoES.</p>
<p>4.5</p>	<p>Anaerobic Digestion Facility – Leave to Appeal Update The Capital and Buildings Officer, Mr. Pdraig O’Sullivan provided the following update:</p> <ul style="list-style-type: none"> ➤ Kerry ETB are monitoring the planning file and are awaiting any further updates from An Bord Pleanála. ➤ No further correspondence has been received from An Bord Pleanála in respect of this development. ➤ The applicant had until November 12th 2019 to address points and assessments raised in An Bord Pleanála’s letter of August 2019. ➤ An Bord Pleanála will not be in a position to determine the outcome of the planning application until the relevant information has been forwarded to them for consideration, the outcome of which may take some time. <p>The Board noted this update.</p>
<p>4.6</p>	<p>Targeted Youth Funding Scheme An update was provided by the CEO addressing the following:</p> <ul style="list-style-type: none"> ➤ As agreed at the October 22nd 2019 ETB Board meeting, a letter issued to the KDYS Chairperson on October 25th 2019 seeking confirmation of a meeting date. ➤ A letter was received from KDYS Chairperson on November 8th 2019 informing Kerry ETB that KDYS are seeking legal advice in relation to a number of issues. ➤ Letter issued to DCYA on November 18th 2019 outlining that Kerry ETB will not be processing any 2020 funding to KDYS until matters have been fully resolved. ➤ Letter issued to KDYS Chairperson on November 19th 2019 setting out responses to the issues raised by KDYS and outlining that Kerry ETB will not be processing any 2020 funding until matters have been fully resolved. ➤ This matter was discussed with the Principal Officer of the DCYA and he advised that DCYA intend to schedule a meeting in Kerry to address this matter. <p>There was a lengthy discussion in relation to same. The CEO advised that he had discussed the matter on Thursday November 28th 2019 with the Principal Officer, Mr. Paul Fay in the DCYA and it was his understanding that they were going to seek to organise a meeting between the parties. The CEO advised that Kerry ETB have confirmed with the DCYA our full cooperation with this meeting.</p>

	<p>It was agreed by the Board Members that this matter had to be resolved and on review of the correspondence Kerry ETB were adopting the correct approach in relation to this matter given the requirements of the Code of Practice for the Governance of ETBs (CL0002/2019) and the Service Level Agreements (SLAs) involved. In line with the requirements of CL0002/2019 the ETB must ensure the integrity of the internal controls of the organisation which is receiving the funding.</p> <p>Cllr. Aoife Thornton suggested the need for the DCYA, as the funding department, to be more direct in their communications regarding this matter with KDYS.</p> <p>The Board was advised that the ETB will continue to liaise with the DCYA re this matter. It was noted that Kerry ETB will not be administering the Quarter 4 funding unless the proposed audit by the Internal Audit Unit had commenced.</p> <p>This was noted by the Board. A further update will be provided at the next Board Meeting.</p>
4.7	<p>Queries re Kerry ETB Committees as per Section 44 of the ETB Act 2013</p> <p>There was a query raised by Board Member Ms. Maria O’Gorman in relation to the appointment of Chairpersons by the ETB Board to the various Section 44 Committees of the Board, she reported some feedback from BOM Members who wanted clarification re this change. The Director of Schools, Youth and Music clarified that the ETB, with the increased governance requirements as a result of the new Code of Practice for the Governance of ETBs (CL0002/2019), had taken the decision, as agreed by the Board at the October 22nd 2019 Board Meeting, that going forward the ETB Board would appoint the Chairperson. This provides for a direct line of communication from the Chairperson of that BOM to the ETB Board and it was felt that this is good for governance.</p> <p>In addition, Ms. Maria O’Gorman suggested that there should be a learner rep on the Governance Board for Kerry College of Further Education and Training given the number of adult learners attending the college at its four campuses. The CEO in welcoming this suggestion, indicated that revisions to the composition of this Governance Board to include a learner representative will be dealt with later in the meeting. Ms. Maria O’Gorman thanked the CEO and the team for dealing with the queries as raised.</p>

	<p style="text-align: center;">EDUCATION AND TRAINING TOPICS FOR DISCUSSION ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ</p>
	<p>There was no presentation arranged for this meeting.</p>
12/2019/6	<p style="text-align: center;">GOVERNANCE RIALACHAS</p>
6.1	<p>Risk Management Update An update was provided by the Director of OS&D, Ms. Maria Brennan, advising the following:</p> <ul style="list-style-type: none"> ➤ The current corporate risk register is reviewed at the Senior Executive Management Meetings every three weeks ➤ A review of the Risk Management process is underway in line with the requirements of Section 7.1 and 7.2 of CL0002/2019 ➤ Review to be completed by end of Q1 2020 <p>The Board noted this update.</p>
6.2	<p>Minutes of School Boards of Management (BOM) Meetings - for approval</p> <ul style="list-style-type: none"> ➤ Coláiste na Ríochta <ul style="list-style-type: none"> ➤ Board of Management Meeting on October 10th 2019 ➤ Castleisland Community College <ul style="list-style-type: none"> ➤ Board of Management Meeting on November 21st 2019 ➤ Coláiste na Sceilge <ul style="list-style-type: none"> ➤ Board of Management Meeting on May 25th 2019 <p>Minutes of these meetings were approved by the Board.</p> <p style="text-align: center;">Proposed: Cllr. Norma Moriarty Seconded: Cllr. Pa Daly</p>
6.3	<p>Minutes of Partnership School BOM Meetings - for Noting There were no minutes for noting at this meeting.</p>
6.4	<p>Kerry ETB Policies for Approval There were no policies for approval by the Board.</p>

<p>6.5</p>	<p>Health and Safety Matters Update</p> <p>The Head of CS&SD, Mr Danny Kerins provided the following update:</p> <ul style="list-style-type: none"> ➤ Central Issues progress – Portable Appliance Testing(PAT) Policy drafted and being reviewed ➤ Health and Safety Seminar for Kerry ETB Line Managers took place successfully on November 8th 2019, positive feedback from participants ➤ Lone Worker Policy being finalised for approval at SEM Meeting December 16th 2019 ➤ Risk Assessment Program in schools/centres is continuing, with one day inspections being carried out ➤ Kerry ETB Safety Committee – This committee will comprise of six staff members, the Health and Safety Officer and the Head of CS&CD. Terms of reference are being drafted for this committee and the first meeting will take place on Wednesday December 4th 2019. <p>The Board welcomed this update and noted the progress made.</p>																
<p>6.6</p>	<p>School Boards of Management (BOMs) for Post Primary in accordance with Section 44 ETB Act 2013</p> <p>The following Nominees to the Post Primary BOMs were appointed by the Board:</p> <table border="1" data-bbox="568 1093 1394 1872"> <thead> <tr> <th>Post-Primary Schools</th> <th>Nominees</th> </tr> </thead> <tbody> <tr> <td>Castleisland Community College</td> <td>Mary Mahony Nora Fealey Mary McGillicuddy</td> </tr> <tr> <td>Coláiste Gleann Lí</td> <td>Gerard O'Carroll Ben Slimm</td> </tr> <tr> <td>Coláiste na Ríochta</td> <td>Dick Carmody Jacqui Barrett Modigan Séana Quane</td> </tr> <tr> <td>Coláiste na Sceilge</td> <td>Dermot Walsh</td> </tr> <tr> <td>Killarney Community College</td> <td>James Cronin Colm O Suilleabháin Mary McGillicuddy</td> </tr> <tr> <td>Killorglin Community College</td> <td>Sinead Piggot Austin Ó Seachnasaigh Emmett Spring</td> </tr> <tr> <td>Gaelcholáiste Chiarraí</td> <td>Liam Ó Chonchúir Tomás Ó Chonchúir Máire Mhic Giolla Rua</td> </tr> </tbody> </table> <p style="text-align: center;">Proposed: Ms. Maria O’Gorman Seconded: Mr. Noel Keenan</p>	Post-Primary Schools	Nominees	Castleisland Community College	Mary Mahony Nora Fealey Mary McGillicuddy	Coláiste Gleann Lí	Gerard O'Carroll Ben Slimm	Coláiste na Ríochta	Dick Carmody Jacqui Barrett Modigan Séana Quane	Coláiste na Sceilge	Dermot Walsh	Killarney Community College	James Cronin Colm O Suilleabháin Mary McGillicuddy	Killorglin Community College	Sinead Piggot Austin Ó Seachnasaigh Emmett Spring	Gaelcholáiste Chiarraí	Liam Ó Chonchúir Tomás Ó Chonchúir Máire Mhic Giolla Rua
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<p>6.7</p>	<p>Youthreach Board of Management in accordance with Section 44 of the ETB Act 2013 - Board Nominations</p> <p>It was noted that there is provision for three BOM/Agency nominees on the Youthreach BOM and two of these nominees should be from KDYS. Correspondence from the Chief Executive of KDYS, Mr. Tim O’Donoghue to Ms. Shivaun Shanahan, AEO dated November 15th 2019, confirmed that KDYS were not in a position to take up these positions.</p> <p>It was agreed that these two vacant community positions should now be filled by nominees from the wider community.</p> <p>This was agreed unanimously by the Board.</p> <p style="text-align: center;">Proposed: Ms. Maria O’Gorman Seconded: Mr. Joe Brennan</p> <p>The following appointments were made by the Board to the Youthreach BOM:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">Cllr. Cathal Foley Board Member</td> </tr> <tr> <td style="padding: 2px;">Ms. Gemma Hilario BOM Nominee</td> </tr> </table> <p style="text-align: center;">Proposed: Ms. Maria O’Gorman Seconded: Cllr. Aoife Thornton</p>	Cllr. Cathal Foley Board Member	Ms. Gemma Hilario BOM Nominee		
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<p>6.8</p>	<p>Kerry College of Further Education and Training</p> <p>The Board agreed to change the composition of the Governance Board for Kerry College by reducing the business industry reps from three to two and making provision for one learner rep (as addressed under Matters Arising (4.7)). The learner rep will rotate between the different campus locations over the duration of the Board i.e. a new learner rep for each academic year.</p> <p style="text-align: center;">Proposed: Ms. Maria O’Gorman Seconded: Mr. Zaid Kassoob</p>				
<p>6.9</p>	<p>Governance and Development Board of Cappanalea, the National Centre for Outdoor Education and Training (NCOET) establishment in accordance with Section 44 of the ETB Act 2013</p> <p>The following nominees were appointed to the Governance and Development Board of Cappanalea, the NCOET:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px;">Terrance Mac Sweeney</td> <td style="padding: 2px;">Business and Industry</td> </tr> <tr> <td style="padding: 2px;">Mary O’Connell</td> <td style="padding: 2px;">Business and Industry</td> </tr> </table> <p style="text-align: center;">Proposed: Cllr. Aoife Thornton Seconded: Mr. Tim Daly</p>	Terrance Mac Sweeney	Business and Industry	Mary O’Connell	Business and Industry
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6.10	<p>Youthwork Committee as per Section 44 of the ETB Act 2013 Committee Structure: Correspondence received November 27th 2019 from Mr. Seamus Whitty, Secretary, Youthwork Committee, addressing the outstanding nominees to the Committee was noted. In this correspondence, he set out that a letter had issued to KDYS on October 11th 2019 and on October 23rd 2019 and that to date no response had been forthcoming in this regard. Mr. Seamus Whitty also set out that correspondence issued to Comhairle na nÓg in KDYS on October 11th 2019. A reply was received on October 23rd 2019 stating they would welcome representation on the Committee, but would not be able to confirm this until the new Comhairle meet in January 2020.</p> <p>These nominees will be finalised by the January Board Meeting.</p> <p>This update was noted by the Board.</p>						
6.6 to 6.10	<p>ETB Committees as per Section 44 of the ETB Act 2013 – as per Sections 6.6 to 6.10 of the Agenda: The Board was presented with a summary of the appointments to and vacancies on the Section 44 Committees. It was noted that outstanding vacancies will be addressed at the January Board Meeting.</p>						
6.11	<p>IPB Insurance Schedule for Kerry ETB in 2020 The proposed insurance schedule for 2020 was presented by the Head of CS&CD, Mr. Danny Kerins as follows:</p> <ul style="list-style-type: none"> ➤ Positive trends in terms of claims frequency in respect of Employers Liability & Public Liability Claims. ➤ IPB estimate Liability Claim Cost inflation for 2020 to be +3% ➤ IPB propose an overall decrease of -0.1% (est reduction of €415) on 2019 Premium ➤ Reductions: Personal Accident (-10%), Motor Fleet (-5%), Professional Indemnity (-5%) ➤ No Member Commercial Dividend payable in 2020 ➤ 40% of surplus after tax schedule to be payable to Members in 2021 (subject to securing necessary legal and regulatory support). <p>The Estimated Costs for the policies as presented by IPB for 2020 are as follows:</p> <table border="1" data-bbox="603 1771 1359 2065"> <thead> <tr> <th>CLASS</th> <th>PROPOSED COST</th> </tr> </thead> <tbody> <tr> <td>Public Liability</td> <td>€129,025</td> </tr> <tr> <td>Employers Liability</td> <td>€110,467</td> </tr> </tbody> </table>	CLASS	PROPOSED COST	Public Liability	€129,025	Employers Liability	€110,467
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	<p>The Board welcomed the update and advised that consideration be given to Cyber Security Insurance.</p> <p>In concluding the update, Mr. Danny Kerins stated that while IPB have proposed an overall decrease of 0.1% in premiums, a process is currently being finalised with IPB addressing the full portfolio of ETB buildings and range of activities, consequently, this proposed decrease may not materialise.</p> <p>A further update will be provided at the January Meeting.</p> <p>An Cathaoirleach thanked Danny for the update.</p>																
6.12	<p>Charter and Terms of Reference for Internal Audit Unit As per CL0002/2019 Code of Practice for the Governance of ETB's, it is requirement that the Charter and Terms of Reference for the Internal Audit is formally adopted by the Board.</p> <p>The Board formally adopted the Charter and Terms of Reference for the Internal Audit.</p> <p style="text-align: center;">Proposed: Mr. Noel Keenan Seconded: Cllr. Jim Finucane</p> <p>The Charter and Terms of Reference were signed by the CEO and An Cathaoirleach at the meeting and these will now be signed by the Director of the Internal Audit Unit for ETBs, Mr. Michael Mullarkey.</p>																

12/2019/7	CEO's REPORT & QUESTIONS ON CEO's REPORTS / TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH & CEISTEANNA ORTHU
7.1	<p>Finance Report Finance Report presented by Finance Officer, Mr. Tommy Conroy The Finance Report was circulated by the Finance Officer and was noted by the Board.</p> <p>C&AG Letter re 2018 Financial Statements The Finance Officer advised that we had received a letter dated November 7th 2019 from the Comptroller and Auditor General attaching the Audit Certificate for the financial statements 2018.</p> <p>In addition, he advised that correspondence has been received from the DoES seeking clarification in relation to the 2018 financial statements audit under the following headings:</p> <ul style="list-style-type: none"> ➤ Procurement ➤ Single Pension Scheme ➤ Inadequate IT Systems and Network Availability Controls ➤ Lack of appropriate financial system ➤ Legal costs <p>This matter is currently being addressed.</p> <p>Negative Interest charges The Finance Officer provided an update for the Board regarding the level of payments by the ETB in negative interest to the Bank of Ireland (BOI). The BOI commenced charging negative interest on the 1st April 2017 and in 2018 the ETB paid €12,158. The estimated level of negative interest to be paid by the ETB to BOI for 2019 is estimated at €22,000. The current negative interest rate as of December 2nd 2019 is 0.65%</p> <p>The payment of this negative interest is having an impact on the ETB's finances as traditionally interest earned on deposit with the bank was a component of the receipts target for the ETB.</p> <p>It was noted by the Board that the ETBI had completed a procurement competition on behalf of the sector for banking services and Deutsche Bank were identified as the preferred provider. Following a lengthy discussion in relation to this matter, the Head of Finance undertook to complete an analysis for the Board of the ETB moving its banking services from BOI to Deutsche Bank. The completion of this analysis was unanimously supported by the Board.</p> <p style="text-align: center;">Proposed: Cllr. Jim Finucane Seconded: Ms Maryanne Slattery</p>

A further update on this matter will be provided at the next meeting.

KDYS Transfer Costs sought in respect of Youthreach Programme

An update was given by the Finance Officer and a presentation was made in relation to same, i.e. legacy claim by KDYS as submitted to the DoES for transfer costs in respect of the move of the Youthreach Programme to direct delivery by the ETB. The presentation gave a full step-by-step analysis of the historical context in relation to these transfer costs.

Having discussed the matter at length, the Board reaffirmed the decisions made by the previous ETB Board at its meetings on September 25th 2018 and January 22nd 2019, that Kerry ETB would not be meeting any of the costs, vouched or unvouched.

Travel and Subsistence (T&S) expenditure within Kerry ETB

An update and presentation was given by the Finance Officer on the Travel and Subsistence costs. He outlined the overall expenditure on T&S by Kerry ETB. It was noted that the estimated overall 2019 expenditure for Kerry ETB will be €199,905, which is 83% of the budget. This would represent a decrease of almost €26,000 since 2017 on travel and €10,000 since 2018. The requirements for the annual report to include a provision for the publication of T&S paid to Board Members and Senior Management was noted.

This update was welcomed by the Board.

Kerry Local Music Education Partnership (LMEP) Finance Update

It was noted that work is ongoing with the establishment of the Local Music Education Officer. As previously advised, the Music Development Officer has been appointed.

The financial model underpinning the LMEP contained a provision for funding from a main sponsor (€30,000 per annum for three years), to date no main sponsor has been secured and this has a significant impact for the funding of the LMEP. Work is ongoing under the lead of the Director of Schools Youth and Music and An Cathaoirleach to secure a new sponsor.

A further update will be provided at the next meeting.

Change in Mandate for Kerry College Monavalley Campus

The Finance Officer advised that a revision was needed to the Bank of Ireland Mandate for Kerry College Monavalley Campus, the updated Mandate will reflect the appointments of:

1. Manager - Mr. Con O'Sullivan
2. Assistant Manager - Mr. Joseph Nestor

The Board formally approved the change in Mandate providing for the above named as new signatories on the Bank Account.

Proposed: Cllr. Jim Finucane
Seconded: Cllr. Norma Moriarty

7.2	<p>Buildings Report</p> <p>The Buildings Report, as circulated with the meeting Agenda was noted by the Board.</p> <p>Killarney Community College ASD Unit Planning Update</p> <p>Buildings Officer, Mr. Padraig O’Sullivan and the Head of CS&CD, Mr. Danny Kerins provided a comprehensive update as follows:</p> <ul style="list-style-type: none"> ➤ Kerry ETB made an application to Kerry County Council for the construction of an ASD Unit at Killarney Community College, Planning Ref 19/813. ➤ In response to the Kerry ETB planning application Ref 19/813, a submission was made by HW Planning acting on behalf of Portal Asset Holdings to Kerry County Council to give consideration to developing a pedestrian access route through our lands as part of this planning process. ➤ A meeting was held with John Ahern Senior Engineer, Killarney Municipal District following receipt of a letter from Kerry County Council (Request for Further Information RFI) on September 20th 2019. This meeting took place on October 23rd 2019. <p>This matter was discussed by the Board and the previous decision of the Kerry ETB Board taken at its meetings on March 26th 2019 were referenced.</p> <p><i>...it was agreed that the needs of the School are the primary concern of the Board and as per Section 12(2)(n) of the ETB Act 2013, the ETB Board decision was not to grant permission for access to the school site for the creation of a walkway (pedestrian access) as requested by Griffin Projects Management Limited (Letters dated December 4th 2018 and February 7th 2019). A letter will issue to Griffin Projects Management Limited confirming the decision of the Board.</i></p> <p><i>This decision was unanimously agreed by the Board.</i></p> <p>The Board reaffirmed the decision of the March 26th 2019 meeting confirming they were not agreeable to the construction of the proposed pedestrian route through the school site. In particular, matters such as site security, adherence to child protection regulations and possible anti-social behaviour were referenced. In addition, the concerns of the school BOM were noted.</p> <p>The Board requested that a meeting be scheduled with Kerry County Council to outline the concerns of the Kerry ETB Board and the BOM of Killarney Community College re this matter.</p> <p>The need to progress the completion of the ASD Unit was highlighted.</p> <p>The Board thanked Padraig and Danny for this update and a further update will be provided at the next meeting.</p>
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	<p>Land & Leases Killorglin Sports & Leisure Centre Limited by Guarantee See above under Matters Arising 4.4</p> <p>License Agreement Kerry Citizens Information Service Company Limited By Guarantee of 4 Bridge Lane, Tralee, Co. Kerry and Kerry Education and Training Board for use of a room in Rice House Dingle</p> <ul style="list-style-type: none"> ➤ one day per month for an outpost clinic for Citizens Information ➤ Use : 1 Room in Rice House Dingle one day per month ➤ Term: 1 year from October 1st 2019 to September 30th 2020 ➤ License Fee: €500 per annum <p>The Board approved the License Agreement as per the terms presented.</p> <p style="text-align: center;">Proposed: Mr. Noel Keenan Seconded: Cllr. Norma Moriarty</p> <p>Kerry Education and Training Board Licence Agreement with Causeway GAA Club The Buildings Officer, Mr. Pdraig O’Sullivan provided this update;</p> <ul style="list-style-type: none"> ➤ Kerry ETB have been in consultation with Causeway GAA re updating the Licence Agreement for use of land as a GAA Pitch and Dressing Rooms. The initial licence agreement has been in place since 26th January 1982. ➤ The Director of Schools, Youth and Music and the School Principal have been in engagement with Causeway GAA re this matter over a number of months. While some progress has been made and a draft updated License Agreement circulated, to date it has not been agreed. ➤ Causeway GAA have recently been granted Sports Capital Funding of €9,454 for upgrade of perimeter/spectator fencing. <p>Following discussion, it was proposed that the discussions regarding the update License Agreement need to be concluded prior to the commencement of the fencing works.</p> <p>This was unanimously agreed by the Board.</p> <p style="text-align: center;">Proposed: Cllr. Aoife Thornton Seconded: Ms Maria O’Gorman</p> <p>A letter will issue to Causeway GAA advising that the new License Agreement needs to be finalised and executed by both parties.</p>
7.3	<p>Report – Chief Executive Officer The CEO’s report, as circulated prior to the meeting, was taken as read.</p> <p>No additional matters arising.</p> <p>The Board noted the report.</p>

7.4	<p>Schools Report – Director of Schools, Youth and Music The Schools’ Report, as tabled at the meeting, addressed the following.</p> <ul style="list-style-type: none"> ➤ Castleisland Community College Junior Cert students who became national winners in The Sophia Science Competition in UL. ➤ Kerry ETB Day of Learning in Causeway Comprehensive School and Coláiste na Sceilge - 25th October 2019 ➤ Leadership and Management Training for AP1s - 1st September and 7th November 2019. Two more sessions scheduled for 2020. ➤ PE Rich Tasks Tag Rugby 8th November, Orienteering, 22nd November and Spike Ball 3rd December 2019 ➤ Section 44 Committee Training for Chairs and Secretaries on 27th November 2019 ➤ Check and Connect training 2nd December 2019 ➤ Inter-Planning Debating Competition deferred to January 2020 <p>The Board noted the report.</p>
7.5	<p>Further Education and Training Report – Director of FET The FET Report was deferred.</p>
7.6	<p>Organisation Support and Development Report As per the Governance Section of the Minutes, noted by the Board.</p> <p>No additional matters arising.</p>
7.7	<p>Members’ Business (motions)</p> <p>The CEO provided Board Members with an update regarding a court case involving Kerry ETB listed for the Circuit Court in Tralee for January 2020. This matter is being administered on behalf of the ETB by IPB Insurance.</p> <p>The Board noted the update.</p> <p>In addition, the CEO advised the Board that currently there are some Stage 4 staff disciplinary hearings ongoing.</p> <p>The Board noted the update.</p> <p>Finally, Cllr. Fionnán Fitzgerald asked that Kerry ETB look into the possibility of providing a course for individuals on managing their finances. The CEO advised that this request would be communicated to the FET Management Team for consideration.</p>

12/2019/8	CORRESPONDENCE COMHFHREAGRAS
8.1	DES Correspondence: Noted as listed
8.2	DES Circular Letters: Noted as listed
8.3	DES Press Releases: Noted as listed
8.4	ETBI Correspondence: Noted as listed
8.5	SOLAS Correspondence Noted as listed
8.6	Other Correspondence: Noted as listed.
12/2019/9	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
	<p>An Cathaoirleach thanked the Board Members for their contribution since the formation of the new Board and wished them all well for Christmas and the new year. It was noted that the next Board Meeting will take place on Tuesday January 28th 2020 in the Kerry ETB Boardroom.</p> <p>The CEO concurred with An Cathaoirleach and wished all the Board Members a happy and safe festive season.</p> <p>This concluded the business of the meeting.</p> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <p>Next Board Meeting date: Tuesday January 28th 2020 Kerry ETB Head Office Boardroom</p> </div>

Signed/Sínithe: _____

Date/Dáta: _____