

Kerry Education and Training Board  
*Bord Oideachais agus Oiliúna Chiarraí*

**Minutes** of Kerry Education and Training Board (Kerry ETB) meeting held via Video Conference on Tuesday December 8<sup>th</sup> 2020.

**In Attendance:**

Cllr. Jim Finucane  
Cllr. Michael Cahill  
Cllr. Cathal Foley  
Cllr. Deirdre Ferris  
Cllr. Niall O'Callaghan  
Mr. Noel Keenan  
Mr. Tim Daly  
Ms. Joan McCrohan

Cllr. Norma Moriarty  
Cllr. Johnnie Wall  
Cllr. Fionnán Fitzgerald  
Cllr. Marie Moloney  
Mr. Joe Brennan  
Ms. Maria O'Gorman  
Mr. John O'Roarke  
Mr. Zaid Kassoob

Mr. Colm Mc Evoy, Chief Executive Officer (CEO), Ms. Maria Brennan, Director of Organisation Support and Development (OS&D), Mr. Owen O'Donnell, Director of Further Education and Training (FET), Ms. Ann O'Dwyer, Director of Schools, Youth and Music (SYM), Mr. Tommy Conroy, Finance Officer, Ms. Aileen O'Connor, Head of Corporate, Capital and Technology (CCT) Department, Ms. Betty Corkey, Head of Human Resources, Ms. Maryanne Lowney, Support to Directors of FET and SYM, Mr. Pdraig O'Sullivan, Buildings Officer, Ms. Patricia Tierney, Executive Support and Ms. Karen Griffin, Executive Support were also in attendance.

**As per Section 1.18 of Circular Letter 0002/2019, the conflict of interest document was circulated electronically to be signed prior to the meeting to the Members (a copy of which is attached to the minutes). The Chairperson asked Board Members to verbally declare any conflicts of interest before commencing with the meeting – see Section 7.2.**

**Conflict of Interest Briefing & Presentation**

Staff Officer, Ms. Patricia Tierney gave a briefing and presentation to Board Members on completing the newly introduced electronic Kerry ETB Conflict of Interest Forms. Before the pandemic, these forms were circulated prior to Board Meetings and completed by Members on arrival at the meetings. These new electronic Conflict of Interest Forms are emailed to the individual Board Members for online completion and signature, using Adobe Sign, prior to the commencement of the meeting in line with provisions made in Circular Letter 0002/2019.

An Cathaoirleach thanked Patricia for the presentation.

12/2020/1	<b>APOLOGIES &amp; CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN</b>
<b>1.1</b>	<b>Apologies/Leithscéalta:</b>
<b>1.2</b>	<b>Condolences/Comhbhrón:</b> An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to: ➤ To Ms. Maria O'Gorman, on the death of her Uncle, Mr. Con O'Gorman.

	<ul style="list-style-type: none"> <li>➤ To Ms. Laura Minkauskiene, Head Office, on the death of her Father, Mr. Aloyzas Kirkus.</li> <li>➤ To Ms. Niamh Mulligan, Killarney Community College, on the death of her Partner, Mr. Tony Fitzgerald.</li> <li>➤ To Ms. Michelle D'Altuin, Gaelcholáiste Chiarraí, on the death of her Mother, Ms. Sheila Hennessy.</li> <li>➤ To Ms. Karen Sheehan, Killarney Community College, on the death of her Uncle, Mr. Barry Hurley.</li> <li>➤ To Mr. Richard Barrett, Gaelcholáiste Chiarraí, on the death of his Father-in-Law, Mr. Tom Kilkenny.</li> </ul>
<b>12/2020/2</b>	<b>CONGRATULATIONS COMHGHAIRDEAS</b>
<b>2.1</b>	<p><b>Congratulations/Comhghairdeas:</b> Congratulations to:</p> <ul style="list-style-type: none"> <li>➤ Coláiste na Sceilge 6<sup>th</sup> year student Casey Etherton who won the 2020 Texaco Children's Art Competition with a painting of his neighbour entitled 'Kevin in the Pink'.</li> <li>➤ Teachers, Lorraine Crowley, Killarney Community College and Elaine Murphy, Castleisland Community College, who were awarded 'Let Them Shine' Awards by the Young Social Innovators (YSI).</li> <li>➤ Castleisland Community College on receiving four Kerry Enterprise Awards.</li> <li>➤ Students in Killorglin Community College, who took part in the Generation Euro virtual final and were selected as one of the top three schools in the country for their research on monetary policy.</li> <li>➤ Former student of Killorglin Community College, Timothy McGrath, who spoke at the Virtual SciFest National Finals in November along with Minister for Education, Ms. Norma Foley.</li> <li>➤ Tahilla Community National School who received funding for dual language books in a variety of languages spoken in their school, including Dutch, Portuguese, Hungarian, Italian, Czech, German and Turkish.</li> </ul>
<b>12/2020/3</b>	<b>MINUTES OF LAST BOARD MEETING - FOR ADOPTION MIONTUAIRISCÍ ÓN gCRUINNIÚ DEIREANACH BOIRD - LE GLACADH</b>
<b>3.1</b>	<p>The minutes of the Kerry ETB meeting held on October 27<sup>th</sup> 2020 were adopted and signed.</p> <p style="text-align: right;"><b>Proposed: Cllr. Michael Cahill Seconded: Cllr. Deirdre Ferris</b></p>

12/2020/4	<p style="text-align: center;"><b>MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ</b></p>
4.1	<p><b>Gaelcholáiste Nua School Building Project Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ On October 31<sup>st</sup> 2020 Kerry ETB commenced tendering for the appointment of the Mechanical &amp; Electrical Reserved Specialist contract for the project. The deadline for receipt of tender submissions is December 14<sup>th</sup> 2020.</li> <li>➤ Kerry ETB received 5 No. Main Contractors Tenders which were returned by the closing date of 11<sup>th</sup> November 2020. The Tenders were opened via the E-Tenders Portal (Tender Box) by Pdraig O’Sullivan, Buildings Officer and Michele Sweeney of Oppermann Associates.</li> <li>➤ On November 24<sup>th</sup> 2020 Kerry ETB received the Stage 3 Tender Report for the appointment of the Main Contractor from the Design Team Lead (Oppermann Associates).</li> <li>➤ Kerry ETB require Department of Education (DoE) consent prior to issuing a letter of intent to the successful contractor.</li> <li>➤ Having reviewed this report from the Design Team Lead, Oppermann Associates, on November 24<sup>th</sup> 2020, Kerry ETB issued a letter to Gary O’Doherty (Principal Officer) requesting approval from the DoE to issue a letter of intent to the recommended successful contractor in accordance with the Service Level Agreement (SLA) between Kerry ETB and the DoE. It was highlighted to the DoE that the letter of approval was required on or before November 30<sup>th</sup> 2020 to allow the ETB the meet the requirement to notify the tenders for the mechanical and electrical reserved specialists, two weeks prior to the closing date for the reserved specialist tender process.</li> <li>➤ Following the appointment of the Main Contractor it is expected that construction will take 75 weeks from commencement on site.</li> </ul> <p>To date no formal approval, has been received from the DoE, to issue a letter of intent, to the recommended successful contractor, in accordance with the Service Level Agreement (SLA) between Kerry ETB and the DoE. Consequently, Kerry ETB has extended the deadline for receipt of mechanical and electrical reserved specialists, as these tenderers must be advised of the successful main contractor two weeks prior to the closing date for receipt of tenders.</p> <p>The Board were advised that Oppermann Associates (Design Team Lead) will commence advertising by mid-December for the appointment of a "Clerk of Works". The advertisement will be placed in local Kerry newspapers.</p> <p>In addition, the Board was advised that the ETB are:</p>

	<ul style="list-style-type: none"> <li>➤ Currently finalising the contributions to be paid by Kerry County Council regarding the Knotweed remediation on the school site.</li> <li>➤ Engaging with Kerry County Council regarding the possibility of facilitating access across the top of the school construction site to the rear of St. Brigid's Community Centre. The Kerry ETB Design Team have advised of the possible cost implications associated with the request and that this matter cannot be finalised until the contractor has been fully appointed for the construction of the school.</li> </ul> <p>The Board welcomed this update and the progress made in progressing the project.</p>
4.2	<p><b>Listowel School Accommodation Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Padraig O'Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB have sought a meeting with the DoE officials and SOLAS to address the accommodation needs of both the PLC College and Post-Primary School and awaits the DoE's reply to this meeting request.</li> <li>➤ It is anticipated 2 No Prefab Units will be installed over the Christmas break and are intended to be operational by the end of January 2021.</li> <li>➤ Kerry ETB have been awarded funding under the Emergency Works Scheme to upgrade the heating system within the school. Funding of c.€105,000 has been achieved.</li> <li>➤ Kerry ETB have secured funding of c.€15,000 to purchase equipment for the Construction Studies Department of Coláiste na Ríochta.</li> </ul> <p>The Board noted this update, the need to advance a solution for the separation of the Kerry College and Coláiste na Ríochta provision was re-emphasised.</p>
4.3	<p><b>Listellick National School Building Project Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Padraig O'Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ As advised at the October 27<sup>th</sup> 2020 ETB Board Meeting, Kerry ETB received, from DoE on October 21<sup>st</sup> 2020, approval to commence pre-qualification of main contractors for the building of the new school project at Listellick Tralee.</li> <li>➤ Kerry ETB on November 6<sup>th</sup> 2020 commenced advertising the pre-qualification of main contractors on E-Tenders.</li> <li>➤ The deadline for receipt of the prescribed suitability assessment declaration is December 7<sup>th</sup> 2020.</li> <li>➤ On receipt of these submissions, the Design Team will prepare a pre-qualification report, shortlisting approved contractors to be included within the tendering process.</li> </ul>

	<p>➤ Following receipt of this report from the Design Team, Kerry ETB will be requesting DoE approval to commence tendering the project.</p> <p>The Board welcomed this update.</p>
<p><b>4.4</b></p>	<p><b>Killorglin Community College Proposal Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan that addressed the following:</p> <p>➤ Further to an application submitted on August 19<sup>th</sup> 2020 to the DoE’s Property Management Section, Kerry ETB awaits approval to finalise the proposed lease between Kerry ETB and Killorglin Sports and Leisure Company Limited by Guarantee. This is the 63-year lease replacing the original 99-year lease.</p> <p>The Board noted this update.</p>
<p><b>4.5</b></p>	<p><b>Anaerobic Digestion Facility – Planning Appeal Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan that addressed the following:</p> <p>➤ As advised at the October 27<sup>th</sup> 2020 ETB Board Meeting it was noted that on September 18<sup>th</sup> 2020, Kerry County Council issued the applicants with a request for further information (RFI).</p> <p>➤ The applicants submitted the required further information to Kerry County Council on October 16<sup>th</sup> 2020.</p> <p>➤ The further information submitted was deemed by Kerry County Council to be significant in nature and therefore the applicants have been requested to re-advertise this fact by placing new site notices and advertising this fact within a prescribed newspaper. (Letter from Kerry County Council, dated November 5<sup>th</sup> 2020).</p> <p>➤ Kerry ETB on November 23<sup>rd</sup> 2020 received a letter from Kerry County Council confirming that the planning authority received the revised public notices on November 19<sup>th</sup> 2020. (Letter as circulated with the Building Report).</p> <p>➤ The Buildings Officer advised that within a period of two weeks following this letter, Kerry ETB could make a further submission on the new information provided. The deadline for receipt of any further submissions was December 3<sup>rd</sup> 2020.</p> <p>➤ Kerry ETB have requested Atkins Engineering and Coakley O Neill Planning to review the further information submitted and make a recommendation of the relative impacts (if any) of the further information supplied.</p> <p>➤ The Board were advised at the meeting of advice received from Atkins Engineering on December 1<sup>st</sup> 2020 re the matter. Atkins Engineering noted that the points raised by Kerry ETB on the original application in</p>

	<p>August had not been raised in the RFI and therefore are not addressed by the applicant.</p> <ul style="list-style-type: none"> <li>➤ Following the advice received from Atkins Engineering, Kerry ETB made a further submission on the planning file on December 2<sup>nd</sup> 2020.</li> </ul> <p>The Board welcomed this update.</p>
4.6	<p><b>Kerry Diocesan Youth Service (KDYS) and Kerry ETB Mediation Update</b></p> <p>A detailed report was provided by the CEO and the Director of OS&amp;D (a copy of the report to be circulated to the Board members following the meeting).</p> <p>The report addressed the following:</p> <p>As advised at the October 27<sup>th</sup> 2020 Board meeting Kerry ETB and KDYS entered into mediation, as agreed at the July 15<sup>th</sup> 2020 ETB Board meeting to address the following matters:</p> <ul style="list-style-type: none"> <li>➤ Staff overpayment issue claim of circa €79,232.21</li> <li>➤ Youthreach Transfer costs issue claim of circa €50,426.25</li> <li>➤ Expenditure relating to 2017 Youthreach Service Level Agreement €6,205.00</li> <li>➤ Disallowed Vouched Expenditure 2018 €7,513.76</li> </ul> <p>The basis for entering mediation had been agreed at a meeting with Mr. Shane O'Donoghue KDYS Board member July 6<sup>th</sup> 2020, attended by the CEO and An Cathaoirleach Kerry ETB.</p> <p>A copy of the July 6<sup>th</sup> meeting minutes was included in the report to Board members:</p>

**Kerry Diocesan Youth Services/ Kerry Education and Training Board**  
**Rose Hotel, Tralee, Co. Kerry**  
**July 6<sup>th</sup> 2020, 3pm**

**In attendance:** *Colm Mc Evoy, Kerry ETB, Jim Finucane, Kerry ETB,  
 Shane O' Donoghue, Kerry Diocesan Youth Services*

At the start of the meeting an Cathaoirleach thanked Mr. O' Donoghue for attending and set out that the purpose of the meeting was in response to the email received from Mr. O' Donoghue to Mr. Noel Keenan, Kerry ETB Board member, on June 30<sup>th</sup> 2020.

The items for discussion were as follows:

- Staff overpayment issue and claim for vouched expenses €143,377.22 (staff overpayment €79,232.20 and vouched expenses €64,145.01)
- Claim for additional costs circa €1,355,000 plus interest

The background of these items were discussed. Following a discussion, the following was agreed pending respective board approval:

- Kerry ETB and KDYS would agree to enter into mediation for the following:
- Staff overpayment issue and claim for vouched expenses €143,377.22 (staff overpayment €79,232.21 and vouched expenses €64,145.01)
- The claim for the additional costs for circa €1,355,000 plus interest would not form part of the mediation and if the issues to be dealt with at mediation are successfully resolved then KDYS would not pursue its claim for the additional costs
- Both parties would enter into mediation in good faith with a view to reaching a resolution to these outstanding matters
- Both organisations to hold a board meeting July 15<sup>th</sup> 2020 at which board approval to enter into mediation would be sought
- Following this process, the preference will be to seek a professional mediator with significant experience unknown to both parties if possible. Mediation will take place in a location to be confirmed and the cost of same will be agreed in advance and divided equally between both parties.

Further contact will following board meetings on July 15<sup>th</sup> 2020.

*That concluded the business of the meeting*

Extract from the meeting minutes July 6<sup>th</sup>, 2020 was also referenced in the report:

*The claim for the additional costs for circa €1,355,000 plus interest would not form part of the mediation and if the issues to be dealt with at mediation are successfully resolved then KDYS would not pursue its claim for the additional costs.*

Members were advised that the mediation proceeded on November 2<sup>nd</sup> 2020 and following the full day mediation session a resolution was agreed, subject to ETB Board, Department and KDYS Board approval. The draft mediation agreement was received November 4<sup>th</sup> 2020. Members were advised that the terms of the mediation agreement are confidential. The mediator initially requested that both Kerry ETB and KDYS seek their respective Board approvals by November 16<sup>th</sup> 2020.

After November 4<sup>th</sup> 2020, communication had been ongoing between the Solicitors for Kerry ETB and KDYS re the finalisation of matters. Kerry ETB had scheduled Board meetings for November 10<sup>th</sup> 2020 and November 12<sup>th</sup> 2020 to finalise matters, but these meetings had to be deferred as KDYS had not confirmed through their Solicitors that they were honouring the agreement of July 6<sup>th</sup> 2020.

On November 23<sup>rd</sup> 2020 the Solicitors representing KDYS, Sarah Coughlan confirmed by letter dated November 23<sup>rd</sup> 2020 the following:

*The Board is happy to accept the Settlement Terms but said they did not agree to waive the claim for €1.3 million.*

*Their instructions are as follows:*

*The KDYS Board decided that its acceptance of the Mediation settlement terms was without prejudice to any other claim. i.e. it was not an agreement to write off the KDYS Claim for €1.3M.*

Since November 23<sup>rd</sup> 2020 there has been communications received from, and sent directly to, KDYS re this matter:

- Letter received from Fr. Ger Godley, dated November 25<sup>th</sup> 2020 - addressed in the meeting report
- Email was issued to Mr Shane O'Donoghue, dated November 26<sup>th</sup> 2020 - addressed in the meeting report
- Letter issued to Fr. Ger Godley, dated December 4<sup>th</sup> 2020 - addressed in the meeting report
- A letter received from Fr. Ger Godley, dated December 7<sup>th</sup> 2020 - addressed in the meeting report

Following receipt of Fr. Godley's letter dated November 25<sup>th</sup> 2020 the CEO and An Cathaoirleach had a telephone conversation with Fr. Ger Godley, Chairperson KDYS, on Thursday November 26<sup>th</sup> 2020. During this call we advised Fr. Godley of our concerns that the communication, from Sarah Coughlan, Solicitor for KDYS, set out that the Board of KDYS are not honouring the agreed commitment of July 6<sup>th</sup> 2020, in respect of the claim for the c. €1.3 million.

Board members were advised that the letter, dated December 4<sup>th</sup> 2020, issued to Fr. Godley set out that should this breach of trust materialize i.e. KDYS not honouring the agreement of July 6<sup>th</sup> 2020, Kerry ETB would not be in a position to continue to engage with or fund KDYS with effect from 1<sup>st</sup> January 2021. A lot of time, effort and cost has been invested by the ETB in this process on the basis of the agreement of July 6<sup>th</sup> 2020 and the ETB fully understood and expected the agreement of July 6<sup>th</sup> 2020 would be honoured by KDYS, if the mediation was successful.



	<p>Conclusion of the mediation matters are not finalised at this time. The ETB will continue to engage with the process, however, matters have to be concluded fully in line with the agreement of July 6<sup>th</sup> 2020, otherwise the ETB will be engaging with the Department of Department of Children, Equality, Disability, Integration and Youth to fund KDYS directly independent of the ETB.</p> <p>The Board noted this update.</p> <p>The Director of OS&amp;D advised the Board re the out of court settlement as a result of Youthreach TUPE Process – Relating to six claimants (all are now employed by Kerry ETB) awarded compensation as a result of a claim to the WRC against KDYS. KDYS appealed the claim to the Labour Court.</p> <p>This settlement relates to compensation, under Section 16 of the Protection of Employees (Part-time) Work Act 2001, to six individuals who became employees of Kerry ETB on 1<sup>st</sup> January, 2019 under a TUPE Process. This claim should have been comprehended under the TUPE Due Diligence Process, however, <i>'The reply [received from KDYS] re the WRC claims in the TUPE questionnaire was legally incorrect...'</i>, Mason Hayes &amp; Curran Solicitors.</p> <p>Following consultation, we have been advised by the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS), that the payment of the settlement figure of €15,000 based on legal advice is a matter for Kerry ETB as set out in the Code of Practice for the Governance of ETBs (Appendix 7: Out of court settlement costing less than €50,000.). This decision does not require prior approval of the DFHERIS, however, it has been discussed with DFHERIS. In line with Department advice, the decision by Kerry ETB to pay the €15,000 was based on legal advice received from Mason Hayes and Curran Solicitors.</p> <p>The Board noted this update.</p>
4.7	<p><b>Head Office Rent Review update</b></p> <p>An update was provided by the Finance Officer, Mr. Tommy Conroy that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Correspondence received from Savills on 3<sup>rd</sup> December 2020. Some discussions are ongoing and a meeting is scheduled to be held with Savills week ending 11<sup>th</sup> December 2020.</li> <li>➤ A further update will be given at the January 2021 meeting.</li> </ul> <p>The Board noted this update.</p>

4.8	<p><b>Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate Sale Update</b></p> <p>An update was provided by the Director of FET, Mr. Owen O'Donnell and the Buildings Officer, Mr. Pdraig O'Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ As advised at the October 27<sup>th</sup> 2020 ETB Board meeting the building currently leased by Kerry ETB at Block F (Ansaldo Building), Monavalley Industrial Estate, Tralee was listed for sale by Sherry Fitzgerald Stack Auctioneers.</li> <li>➤ Kerry ETB and Formerly FAS has been leasing the building directly adjacent to the Kerry College Monavalley Campus since January 1<sup>st</sup> 1998.</li> <li>➤ The ETB are currently paying €49,200 per annum for c.10,000 Sq. ft. (Half of the available space in the building).</li> <li>➤ Kerry ETB have been informed through the landlord's agent that the reserve price of this building and site is in the region of €750,000.</li> <li>➤ The Board at the October 27<sup>th</sup> meeting formally approved the ETB to engage with SOLAS in registering an interest in purchasing the premises.</li> </ul> <p>Following the decision taken at the October 27<sup>th</sup> ETB Board Meeting, Kerry ETB have been in direct communication with SOLAS re the possible acquisition of this property:</p> <ul style="list-style-type: none"> <li>➤ October 28<sup>th</sup> 2020, email from CEO, Kerry ETB to the CEO of SOLAS seeking approval from SOLAS to enter into negotiations with Shannon commercial Properties for the purchase of this building.</li> <li>➤ October 29<sup>th</sup> 2020, email from ETB CEO to Nessa White, SOLAS (Executive Director Transformation) requesting consideration of request made to the CEO SOLAS on October 28<sup>th</sup> 2020. Further emails issued to SOLAS re this matter on October 30<sup>th</sup>, November 19<sup>th</sup> and November 26<sup>th</sup> 2020.</li> </ul> <p>The Board were advised that on November 30<sup>th</sup> 2020, Kerry ETB received a SOLAS property acquisition template for completion. Work on the completion of the draft template has been finalised for submission to SOLAS. The draft property acquisition template was presented to the Board and approved by the Board for submission to SOLAS.</p> <p style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b> <b>Seconded: Mr. Noel Keenan</b></p> <p>Based on the current schedule the finalised property acquisition template will be submitted December 11<sup>th</sup> 2020 to SOLAS.</p>
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12/2020/5	<b>EDUCATION AND TRAINING TOPICS FOR DISCUSSION</b> <b>ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ</b>
	<p>An update was provided by the Director of Schools, Youth &amp; Music (SYM) and the Director of Further Education &amp; Training (FET) on the COVID-19 Response Plan progress and their ongoing contingency planning in line with the overall ETB COVID-19 Response Framework.</p> <p>The Director of SYM, Ms. Ann O'Dwyer addressed the contents of her report as circulated with the Meeting Agenda.</p> <p>The Board thanked the Director of SYM for the comprehensive update.</p> <p>The Director of FET, Mr. Owen O'Donnell addressed the contents of his report as circulated with the Meeting Agenda.</p> <p>The Board thanked the Director of FET for the comprehensive update.</p> <p>Board members were advised that articles will be published in the local newspapers this week highlighting recent appointments, ongoing progress and initiatives by the ETB over recent months.</p> <p>This was noted.</p>
12/2020/6	<b>GOVERNANCE</b> <b>RIALACHAS</b>
6.1	<p><b>Risk Management</b></p> <p>The Director of Organisation Support and Development provided an update on Risk Management and advised the following:</p> <ul style="list-style-type: none"> <li>➤ The following schools have completed their transition to the revised risk register template: <ul style="list-style-type: none"> <li>➤ Castleisland Community College</li> <li>➤ Coláiste Na Ríochta</li> <li>➤ Killarney Community College</li> <li>➤ Coláiste Gleann Lí</li> </ul> </li> <li>➤ Director of SYM is engaging with remaining schools re finalising their transition process</li> <li>➤ Kerry College completed their transition week ending November 27<sup>th</sup> 2020</li> <li>➤ Risk Management Workshop delivered to line management from five FET Centres, Community Education and BTEI November 19<sup>th</sup> 2020. Line Management will transition to new register in line with finalising their</li> </ul>

	<p>Service Plans for 2021. Timeline for completion is estimated for February 2021.</p> <ul style="list-style-type: none"> <li>➤ Risk Management Workshop is due to take place with Youthreach and VTOS management team week commencing December 7<sup>th</sup> 2020.</li> <li>➤ Updated Corporate Risk Register was approved by the Kerry ETB Senior Executive on October 8<sup>th</sup> 2020.</li> <li>➤ Seven risks listed on the register. Highest risk at the moment is concern over the sustainability of ETB services due to the impact of COVID-19/escalation of restrictions.</li> <li>➤ Directors of SYM and FET, along with Heads of Department in January 2021 will update their risk registers aligned to their strategic objectives for 2021.</li> </ul> <p>The Board noted that positive feedback is being returned from staff and line management re the improved usability of revised template.</p> <p>Board Member Tim Daly, asked if the ongoing matters with KDYS were included on the Corporate Risk Register. The Director of OS&amp;D confirmed inclusion of these matters in the register.</p> <p>The Board welcomed the progress made in addressing the new approach to Risk Management.</p>
6.2	<p><b>Minutes of School Boards of Management (BOM) Meetings</b></p> <p>Minutes of the following Board of Management meetings were noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>Two Mile Community National School</b> <ul style="list-style-type: none"> <li>➤ Board of Management meeting on September 28<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Tahilla Community National School</b> <ul style="list-style-type: none"> <li>➤ Board of Management meeting on June 24<sup>th</sup> 2020</li> <li>➤ Board of Management meeting on August 20<sup>th</sup> 2020</li> <li>➤ Board of Management meeting on September 29<sup>th</sup> 2020</li> </ul> </li> </ul> <p style="text-align: center;"><b>Proposed: Mr. Noel Keenan</b> <b>Seconded: Cllr. Norma Moriarty</b></p> <ul style="list-style-type: none"> <li>➤ <b>Castleisland Community College</b> <ul style="list-style-type: none"> <li>➤ Board of Management meeting on September 21<sup>st</sup> 2020</li> </ul> </li> <li>➤ <b>Coláiste na Ríochta</b> <ul style="list-style-type: none"> <li>➤ Board of Management meeting on June 30<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Coláiste na Sceilge</b> <ul style="list-style-type: none"> <li>➤ Board of Management meeting on June 9<sup>th</sup> 2020</li> <li>➤ Board of Management meeting on August 24<sup>th</sup> 2020</li> <li>➤ Board of Management meeting on September 21<sup>st</sup> 2020</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>➤ <b>Killarney Community College</b></li> <li>➤ Board of Management meeting on August 24<sup>th</sup> 2020</li> <li>➤ Board of Management meeting on September 21<sup>st</sup> 2020</li> </ul> <p style="text-align: center;"><b>Proposed: Cllr. Fionnán Fitzgerald</b> <b>Seconded: Ms. Joan McCrohan</b></p>
6.3	<p><b>Minutes of FET Governance Boards and BOM Meetings</b> Minutes of the following Governance Boards and BOM meetings were noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>FETC Committee</b></li> <li>➤ Committee meeting on October 14<sup>th</sup> 2020</li> <li>➤ <b>Youthreach BOM</b></li> <li>➤ Board of Management meeting on August 28<sup>th</sup> 2020</li> </ul> <p style="text-align: center;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Mr. Noel Keenan</b></p>
6.4	<p><b>Minutes of the Youth Work Committee</b> Minutes of the following Youth Work Committee meeting were noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ Youth Work Committee</li> <li>➤ Minutes of meeting on September 23<sup>rd</sup> 2020</li> </ul> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Mr. Noel Keenan</b></p>
6.5	<p><b>Minutes of Partnership School BOM Meetings</b> There were no minutes for noting at this meeting.</p>
6.6	<p><b>Kerry ETB Policies for Approval</b> The following policies were circulated prior to the meeting and presented to the Board for approval by the Director of OS&amp;D, Ms. Maria Brennan:</p> <ul style="list-style-type: none"> <li>➤ ICT Change Management Policy</li> <li>➤ Fixed Asset Management Policy and Procedure - revised</li> <li>➤ Travel and Subsistence Policy - revised</li> </ul> <p>The Board approved the policies as presented by the Director of OS&amp;D.</p> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Cllr. Deirdre Ferris</b></p>

6.7	<p><b>Health &amp; Safety Matters Update</b> The Head of CCT Department, Ms. Aileen O'Connor provided an update addressing the following;</p> <table border="1" data-bbox="459 387 1493 1263"> <thead> <tr> <th data-bbox="459 387 772 472">Activity</th> <th data-bbox="772 387 1493 472">Update</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 472 772 887"><b>Central Safety Policies</b></td> <td data-bbox="772 472 1493 887"> <ul style="list-style-type: none"> <li>• Kerry ETB safety statement updated and sent for review to senior management</li> <li>• Construction Regulations compliance procedure under review by senior management</li> <li>• Contractor Management procedure under review by senior management</li> <li>• Procedures revised include outreach Inspection policy, accident reporting procedure and evacuation procedure template.</li> <li>• Kerry ETB COVID-19 Response plan under revision in line with the new Work Safely Protocol</li> </ul> </td> </tr> <tr> <td data-bbox="459 887 772 1014"><b>Risk Assessment Program</b></td> <td data-bbox="772 887 1493 1014"> <ul style="list-style-type: none"> <li>• Kerry College, Monavalley, currently in progress</li> <li>• Review of risk assessments program beginning in December</li> </ul> </td> </tr> <tr> <td data-bbox="459 1014 772 1099"><b>Safety Committee</b></td> <td data-bbox="772 1014 1493 1099"> <ul style="list-style-type: none"> <li>• Next meeting to take place next week 10<sup>th</sup> December</li> </ul> </td> </tr> <tr> <td data-bbox="459 1099 772 1263"><b>Training Programme</b></td> <td data-bbox="772 1099 1493 1263"> <ul style="list-style-type: none"> <li>• Woodwork Machinery training for woodwork teachers postponed from October to January 2021</li> <li>• No "on-site" training taking place during Level 5 Restrictions</li> </ul> </td> </tr> </tbody> </table> <p>This update was noted by the Board.</p>	Activity	Update	<b>Central Safety Policies</b>	<ul style="list-style-type: none"> <li>• Kerry ETB safety statement updated and sent for review to senior management</li> <li>• Construction Regulations compliance procedure under review by senior management</li> <li>• Contractor Management procedure under review by senior management</li> <li>• Procedures revised include outreach Inspection policy, accident reporting procedure and evacuation procedure template.</li> <li>• Kerry ETB COVID-19 Response plan under revision in line with the new Work Safely Protocol</li> </ul>	<b>Risk Assessment Program</b>	<ul style="list-style-type: none"> <li>• Kerry College, Monavalley, currently in progress</li> <li>• Review of risk assessments program beginning in December</li> </ul>	<b>Safety Committee</b>	<ul style="list-style-type: none"> <li>• Next meeting to take place next week 10<sup>th</sup> December</li> </ul>	<b>Training Programme</b>	<ul style="list-style-type: none"> <li>• Woodwork Machinery training for woodwork teachers postponed from October to January 2021</li> <li>• No "on-site" training taking place during Level 5 Restrictions</li> </ul>					
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6.8	<p><b>Kerry ETB Committees under Section 44 of the ETB Act 2013 – Appointments and Vacancies</b> The following Board of Management Appointments (BOM) were made by the Board:</p> <table border="1" data-bbox="459 1608 1493 1877"> <thead> <tr> <th colspan="5" data-bbox="459 1608 1493 1675">Appointments</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 1675 708 1783">Castleisland College</td> <td data-bbox="708 1675 874 1783">Community</td> <td data-bbox="874 1675 1174 1783">Joan McCrohan</td> <td data-bbox="1174 1675 1334 1783">Board Nominee</td> <td data-bbox="1334 1675 1493 1783">Member</td> </tr> <tr> <td colspan="2" data-bbox="459 1783 874 1877">Gaelcholáiste Chiarraí</td> <td data-bbox="874 1783 1174 1877">Fionnán Fitzgerald</td> <td data-bbox="1174 1783 1334 1877">Board Nominee</td> <td data-bbox="1334 1783 1493 1877">Member</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Proposed: Cllr. Jim Finucane</b> <b>Seconded: Cllr. Norma Moriarty</b></p>	Appointments					Castleisland College	Community	Joan McCrohan	Board Nominee	Member	Gaelcholáiste Chiarraí		Fionnán Fitzgerald	Board Nominee	Member
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The following Board of Management/Governance Board (Section 44 Committees) Appointments were made by the Board:

<b>Appointments</b>		
<b>Gaelcholáiste Chiarraí</b>	<b>Maryanne Lowney (replacing Lorraine O'Sullivan)</b>	<b>Parent Nominee</b>
<b>Youthreach</b>	<b>Niamh Mangan</b>	<b>BOM Nominee</b>
<b>Youthreach</b>	<b>John Buggy</b>	<b>Staff Nominee</b>
<b>FETC</b>	<b>Eileen Comerford</b>	<b>Learner Nominee</b>
<b>Two Mile CNS</b>	<b>Catherine Barry</b>	<b>Teacher Nominee</b>
<b>Two Mile CNS</b>	<b>Stephanie Thornton</b>	<b>Teacher Nominee</b>

**Proposed: Mr. Noel Keenan**  
**Seconded: Cllr. Deirdre Ferris**

The following BOM Chairperson's were appointed by the Board:

<b>Chairperson Appointment</b>	
<b>Castleisland Community College</b>	<b>Fionnán Fitzgerald</b>

**Proposed: Cllr. Niall O'Callaghan**  
**Seconded: Cllr. Johnnie Wall**

<b>Chairperson Appointment</b>	
<b>Gaelcholáiste Chiarraí</b>	<b>Máiréad Ní Chatháin Uí Chonchúir</b>

This exception, to the Boards original decision that a member of the Kerry ETB Board would act as Chairperson on all Section 44 Committees, including Boards of Management, is being made on the basis of a need for Irish Language fluency for this position, as advised by the Director of SYM.

**Proposed: Cllr. Jim Finucane**

	<p style="text-align: center;"><b>Seconded: Mr. Noel Keenan</b></p> <p>The Board Member appointments to Coláiste na Ríochta BOM and Youthreach Committee were deferred until the January 2021 meeting.</p>																				
<p><b>6.9</b></p>	<p><b>ETB Board Self-Assessment 2020 as per Code of Practice for the Governance of ETB's (CL0002/2019) Update</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <ul style="list-style-type: none"> <li>➤ Board self-assessment has been completed as per the provisions of the Code of Practice for the Governance of ETB's (CL0002/2019). A summary outcomes table from the self-assessment were noted by the Board.</li> </ul> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p style="text-align: center; color: #4F81BD;">Summary of Report</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Categories</th> <th style="text-align: center;">Average 2019/2020</th> </tr> </thead> <tbody> <tr> <td>Role of the Board</td> <td style="text-align: center;">4.3</td> </tr> <tr> <td>Oversight Agreement</td> <td style="text-align: center;">4.37</td> </tr> <tr> <td>Division of Responsibilities</td> <td style="text-align: center;">4.73</td> </tr> <tr> <td>Board Effectiveness</td> <td style="text-align: center;">4.46</td> </tr> <tr> <td>Code of Conduct and Conflict of Interests</td> <td style="text-align: center;">4.27</td> </tr> <tr> <td>Business and Financial Reporting</td> <td style="text-align: center;">4.43</td> </tr> <tr> <td>Risk Management, Internal Control Audit and Risk</td> <td style="text-align: center;">4.22</td> </tr> <tr> <td>Performance Evaluation</td> <td style="text-align: center;">3.73</td> </tr> <tr> <td>Boards relationship with Management</td> <td style="text-align: center;">4</td> </tr> </tbody> </table> <p>Scores range from an average of 1 to 5. The higher the score, the more effective the board is. Lower scores (below 3) indicate areas needing improvement.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. Review content of meetings, meeting packs to focus on more strategic issues</li> <li>2. Broaden the skills of the board</li> <li>3. Stretch/Improve the strategic focus of the board</li> </ol> </div> <p>Feedback from Board members re the process for the conduct of the self-assessment was positive.</p> <p>An Cathaoirleach thanked all involved in this process.</p>	Categories	Average 2019/2020	Role of the Board	4.3	Oversight Agreement	4.37	Division of Responsibilities	4.73	Board Effectiveness	4.46	Code of Conduct and Conflict of Interests	4.27	Business and Financial Reporting	4.43	Risk Management, Internal Control Audit and Risk	4.22	Performance Evaluation	3.73	Boards relationship with Management	4
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<p><b>6.10</b></p>	<p><b>ETB Board Vacancies – Parent Representative and Staff Representative as per Section 37 of the ETB Act Update</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <p><b>Parent Representative:</b></p> <p>The following Parent Representative was nominated by the Kerry ETB Parents' Forum to the Kerry ETB Board:</p> <ul style="list-style-type: none"> <li>➤ Ms. Catriona Kerin</li> </ul>																				



	<p>In accordance with the provision of Section 37(1)(c) ETB Act 2013, the Board appointed of Ms. Catriona Kerin to the ETB Board as a parent representative.</p> <p style="text-align: center;"><b>Proposed: Mr. Noel Keenan</b> <b>Seconded: Cllr. Deirdre Ferris</b></p> <p><b>Staff Representative</b> As advised at the October 27<sup>th</sup> 2020 Board Meeting the Director of OS&amp;D set out that a Circular Letter must issue from the DoE giving Kerry ETB the timeline for a Staff Representative Election, we are awaiting this circular. As the Circular Letter had not been issued to date by the DoE, the Election process would likely begin in the first quarter of 2021.</p> <p>The Board noted this update.</p>
6.11	<p><b>Letter of Representation 2019</b> The Letter of Representation was presented by the Finance Officer, Mr. Tommy Conroy, he addressed the following:</p> <ul style="list-style-type: none"> <li>➤ The Letter of Representation is issued to the Comptroller &amp; Auditor General with the Audited Financial Statements and is signed by the Chairman and the Chief Executive Officer of the ETB.</li> <li>➤ The Letter of Representation acknowledges the responsibility of Kerry ETB: <ul style="list-style-type: none"> <li>- to produce annual Financial Statements</li> <li>- to operate a System of Internal Control to prevent and detect fraud</li> <li>- to comply with the Code of Governance for Education and Training Boards</li> <li>- to confirm key items within the Annual Financial Statements</li> <li>- The Letter of Representation makes 26 representations around the Governance, Compliance and Financial Oversight within the ETB's.</li> </ul> </li> <li>➤ As per the Code of Practice for the Governance of Education and Training Boards the Letter of Representation accompanying the 2019 Financial Statements has been reviewed by both the Audit &amp; Risk Committee (as per Appendix 11 of the Code - Terms of Reference for Audit &amp; Risk Committee) and the Finance Committee (as per Appendix 14 of the Code - Terms of Reference for the Finance Committee) before signing by the Chief Executive Officer and the Chairman.</li> </ul> <p>The Board acknowledged the Letter of Representation as presented by the Finance Officer.</p> <p style="text-align: center;"><b>Proposed: Cllr. Norma Moriarty</b> <b>Seconded: Ms. Joan McCrohan</b></p>

6.12	<p><b>Notice of Publication of the Kerry ETB Annual Report as per section 28 ETB Act 2013</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan advised that notice was received on October 19<sup>th</sup> 2020 confirming that the Kerry ETB Annual Report 2019 had been laid before both Houses of the Oireachtas.</p> <p>As per Section 28(3) of the ETB Act 2013 the Annual Report 2019 has been published on the Kerry ETB website.</p> <p>An Cathaoirleach thanked the Director of OS&amp;D, Ms. Maria Brennan and all the staff involved in producing and filing the Annual Report on behalf of the Board.</p>
6.13	<p><b>Kerry County Council - Establishing an Employment Creation and Retention Group</b></p> <p>On October 29<sup>th</sup> 2020, correspondence received from Kerry County Council re. establishing a specific group to look at employment creation and retention across the county.</p> <p>Two Kerry ETB Nominees were formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ Cllr. Jim Finucane – An Cathaoirleach</li> <li>➤ Mr. Owen O'Donnell – Director of FET</li> </ul> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Mr. Noel Keenan</b></p>

09/2020/7	<p><b>CEO's REPORTS &amp; QUESTIONS ON CEO's REPORTS / TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH &amp; CEISTEANNA ORTHU</b></p>
7.1	<p><b>Finance Report</b></p> <p>The Finance Report up to October 31<sup>st</sup> 2020 had been circulated prior to the meeting. At the meeting the Finance Officer, Mr. Tommy Conroy circulated and addressed the Finance Report up to November 30<sup>th</sup> 2020.</p> <p>The Reports as presented were noted by the Board.</p> <p><b>IPB Insurance Rebate Update</b></p> <p>The Finance Officer advised that due to the impact of the Covid-19 Pandemic, all IPB members will receive a Covid-19 Premium Credit in respect of the relevant impacted policies. The following refunds are due to Kerry ETB:</p> <ul style="list-style-type: none"> <li>➤ Personal Accident Insurance: €5,294.89</li> <li>➤ Commercial Combined Insurance: €23,731.73</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Employers Liability Insurance: €67.16</li> <li>➤ Public and Products Liability Insurance: €150.33</li> </ul> <p>The Board noted this update.</p>
7.2	<p><b>Buildings Report</b></p> <p>The Buildings Report, as circulated with the meeting Agenda was noted by the Board and addressed the following projects/works updates:</p> <ul style="list-style-type: none"> <li>➤ Devolved Project Request</li> <li>➤ Killarney Community College</li> <li>➤ Causeway Comprehensive School</li> <li>➤ Coláiste Gleann Lí</li> <li>➤ Coláiste na Sceilge</li> <li>➤ St. Oliver's National School, Killarney</li> <li>➤ Kerry College – Clash Campus</li> <li>➤ Kerry College, National Outdoor Education and Training Campus (formally Cappanalea)</li> <li>➤ Tech Amergin</li> <li>➤ An Tochar</li> </ul> <p><b>Department of Education - Devolved Project Request</b></p> <p>The Head of Corporate, Capital and Technology (CCT) Department addressed the request received from the DoE regarding the undertaking of an additional Devolved Project on behalf of the DoE.</p> <p>The Board were advised that further to an update provided at the October 27<sup>th</sup> 2020 ETB Board Meeting, Kerry ETB have been requested by the DoE to undertake a new devolved project on their behalf re. the construction of a new four classroom primary school on a green field site in Knocknagoshel, Co. Kerry. The estimated budget of the project is c.€2.5 million.</p> <p>Kerry ETB understands additional resources will be made available to ETB's within Q1 2021, in the form of a framework of project managers being established to support ETB's in delivering major capital projects. It is expected that a yearly grant will be allocated commensurate with the level of projects being undertaken by each ETB which will initially cover a three-year period.</p> <p>The Board were advised that Formal Board Approval is being sought for Kerry ETB to proceed with the above devolved project.</p> <p>The Board formally approved the ETB to confirm to the DoE agreement to undertake the devolved project, on behalf of the DoE for the construction of a new four classroom primary school on a green field site in Knocknagoshel, Co. Kerry.</p> <p style="text-align: center;"><b>Proposed: Cllr. Jim Finucane</b></p>

**Seconded: Cllr. Marie Moloney**

**Kerry ETB Seal Use**

The Board was advised by the Buildings Officer, Mr. Pdraig O'Sullivan that in accordance with Schedule 3, Paragraph (2) of the ETB Act 2013, the seal of Kerry Education & Training Board was used to execute the following leases/rental agreements at the ETB Board meeting on December 8<sup>th</sup> 2020:

- License Agreement between Two Mile CNS & Ms. Sharon O'Riordan T/A Little Explorers Pre-School - approved at the June 30<sup>th</sup> 2020 ETB Board Meeting.
- Lease Agreement between High Street Bond Street Limited and Kerry ETB for 37 High Street, Killarney – approved at the October 27<sup>th</sup> 2020 ETB Board Meeting.

This was noted by the Board.

**Land and Leases**

**Leases for Board Approval**

The leases for Tahilla Community National School and Scoil an Ghleanna Pobalscoil Náisiúnta were deferred pending further clarification re the terms of same. Matters are currently being addressed between the Dioceses and the ETB legal agents and may require further advice and clarifications from the DoE.

**Leases Sanctioned by DoE**

The Board was advised that sanction for the following lease was received from the DoE on December 4<sup>th</sup> 2020:

- Lease Agreement for 37 High Street, Killarney, as approved at the October 27<sup>th</sup> 2020 ETB Board Meeting.

**Leases Awaiting Sanction by DoE**

The Board were advised of the following:

- Further to an application submitted on August 19<sup>th</sup> 2020 to the DoE's Property Management Section, Kerry ETB awaits approval to finalise the proposed lease between Kerry ETB and Killorglin Sports and Leisure Company Limited by Guarantee.
- Further to an application submitted on October 6<sup>th</sup> 2020 to the DoE's Property Management Section, Kerry ETB awaits approval to finalise the Rectification of Title of Raheen Old Technical School, Annaghmore, Headford, Killarney, Co. Kerry.

This was noted by the Board.

**Licence Agreement for Noting by the Board**

Regarding the Licence Agreement between Tralee Regional Sports & Leisure Company Limited by Guarantee and Tralee Skate Park Community Group as addressed by the ETB Board at meetings in February 27<sup>th</sup> 2017, June 11<sup>th</sup>

	<p>2018 and July 10<sup>th</sup> 2018, Kerry ETB will allow for the construction of a Skate Park on the grounds of the Sports Centre. The Board support for this project was noted at the February 27<sup>th</sup> 2017 Board Meeting. The terms of the Licence Agreement are as follows:</p> <ul style="list-style-type: none"> <li>➤ Term - 10 Years</li> <li>➤ License Fee - €1 per annum</li> <li>➤ Area - 800 sq. m.</li> </ul> <p>Kerry ETB received a copy of the Licence Agreement as referenced from Tralee Regional Sports &amp; Leisure Company Limited by Guarantee (email dated 26<sup>th</sup> November 2020).</p> <p>The Board were advised that the Licence Agreement is between Tralee Regional Sports &amp; Leisure Company Limited by Guarantee and Tralee Skate Park Community Group and that as Kerry ETB, with Kerry County Council, are the lessors of the land to the Tralee Regional Sports &amp; Leisure Company Limited by Guarantee, the company must apply to Kerry ETB and Kerry County Council for consent to create this License Agreement and this update is being provided in this context.</p> <p>The Board were advised that Kerry ETB were awaiting guidance from MRW Solicitors on the document received from Tralee Regional Sports &amp; Leisure Company Limited by Guarantee re the matter.</p> <p>Progress with this development was welcomed and noted by the Board.</p>
7.3	<p><b>Chief Executive Officer's Report</b></p> <p>The CEO's Report, as circulated prior to the meeting, was noted by the Board. The Report addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB Head Office COVID-19 Update</li> <li>➤ Head Office COVID-19 Arrangements</li> <li>➤ Partnership Schools</li> <li>➤ Kerry Diocesan Youth Service</li> <li>➤ Tralee Regional Sports and Leisure CLG</li> <li>➤ Kerry ETB and Tralee IT South Campus Acquisition</li> <li>➤ Gaelcholáiste Chiarraí History compilation project</li> <li>➤ Department of Education Strategy Statement 2021-23 Submission</li> </ul> <p><b>Partnership Schools</b></p> <p>Tarbert Comprehensive School</p> <p>Further to the update provided at the October 27<sup>th</sup> ETB Board meeting, the Board was advised that the ETB was Joint Patron/Trustee of four schools in the county including Tarbert Comprehensive School. The CEO advised that this update was based on the ETB Management's long held understanding that the ETB was a Joint Patron/Trustee for Tarbert Comprehensive School. However, upon further review and examination, it has been established that</p>

	<p>Kerry ETB is not a Joint Patron/Trustee but rather has representatives appointed to the Board of Management. The Joint Patrons in this instance are the Minister of Education and the Bishop of Kerry.</p> <p>The Board noted this update.</p>
<b>7.4</b>	<p><b>Schools Report – Director of Schools</b></p> <p>The Schools Report, as circulated prior to the meeting, was noted by the Board. The Report addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Progress in Schools</li> <li>➤ School COVID-19 Inspections – as per Section 5</li> <li>➤ October Returns 2020/2021</li> <li>➤ Community National School Enrolments</li> <li>➤ Good news stories from around the schools</li> <li>➤ Youth Development Office</li> <li>➤ Wellbeing Kerry</li> <li>➤ Music Generation</li> <li>➤ Kerry Local Creative Youth Partnership (LCYP)</li> </ul>
<b>7.5</b>	<p><b>Further Education and Training Report – Director of FET</b></p> <p>The FET Report, as circulated prior to the meeting, was noted by the Board. The Report addressed:</p> <ul style="list-style-type: none"> <li>➤ Level 3 Restrictions – as per <b>Section 5</b></li> <li>➤ COVID-19 Incident Reports</li> <li>➤ TEL Training</li> <li>➤ Learner Recruitment</li> <li>➤ Beneficiaries YTD 2020</li> <li>➤ Financials</li> <li>➤ Marketing</li> </ul>
<b>7.6</b>	<p><b>Organisational Support and Development Report – Director of OS&amp;D</b></p> <p>As per the <b>Governance Section 6.0</b> of the Minutes, noted by the Board.</p> <p>The Board noted this update.</p>
<b>7.7</b>	<p><b>Members Business</b></p> <p>Cllr. Deirdre Ferris advised that she had been asked to consider becoming a member of the Board of Directors for the Tralee Community Training Centre Company Limited by Guarantee and was seeking advice re possible conflict of duties as a member of the ETB Board. The Company is funded by Kerry ETB through the annual Agreement to Collaborate.</p>

	<p>The CEO advised that the Director of OS&amp;D would seek clarification on this matter and would revert back re same.</p> <p><b>Urraíocht ar Chomórtais Liteartha an Oireachtais 2021 / Sponsorship of 2021 Oireachtas Literary Competitions</b> Sponsorship of €260 for the ‘Cnuasach Filíochta’ was agreed by the Board, subject to availability of relevant funding.</p> <p style="text-align: center;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Cllr. Johnnie Wall</b></p> <p><b>Listowel Writers’ Week – Young Adult Book Festival 2020</b> Financial support sought for the Young Adult Book Festival 2020.</p> <p>Funding of €1,000 was agreed by the Board, subject to availability of relevant funding.</p> <p style="text-align: center;"><b>Proposed: Mr. Noel Keenan</b> <b>Seconded: Cllr. Johnnie Wall</b></p>
<b>09/2020/8</b>	<b>CORRESPONDENCE COMHFHREAGRAS</b>
<b>8.1</b>	<p><b>DoE Correspondence:</b> Noted as listed</p> <p><b>8.2</b></p> <p><b>DoE Circular Letters:</b> Noted as listed</p> <p><b>8.3</b></p> <p><b>DoE Press Releases:</b> Noted as listed</p> <p><b>8.4</b></p> <p><b>Department of Further and Higher Education, Research, Innovation and Science Correspondence:</b> Noted as listed</p> <p><b>8.5</b></p> <p><b>Department of Further and Higher Education, Research, Innovation and Science Press Releases:</b> Noted as listed</p> <p><b>8.6</b></p> <p><b>Department of Children and Youth Affairs Correspondence:</b> Noted as listed</p> <p><b>8.7</b></p> <p><b>ETBI Correspondence:</b> Noted as listed</p>

<b>8.8</b>	<b>SOLAS Correspondence:</b> Noted as listed
<b>8.9</b>	<b>Other Correspondence:</b> Noted as listed.

<b>12/2020/9</b>	<b>ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH</b>
	<p>Cllr. Michael Cahill asked for an update on the accommodation needs and traffic management issue in Killorglin Community College. The Buildings Officer, Mr. Pádraig O’Sullivan confirmed that he will revert to Cllr. Cahill re same.</p> <p>Cllr. Marie Moloney sought clarification re the responsibilities of ETB staff assigned as bus escorts from Killarney Community College. The Director of SYM, Ms. Ann O’Dwyer advised that there was no clear guidance on this matter and it had been brought to the attention on the DoE.</p> <p>The CEO complemented the Head of CCT, Ms. Aileen O’Connor and the staff involved in sourcing and installing the new Boardroom audio and video system, which was required to support effective communications for remote meetings as necessitated by the COVID-19 pandemic.</p> <p>An Cathaoirleach wished everyone a happy, safe and peaceful Christmas and thanked all for their contributions during 2020.</p> <p><b>Next Kerry ETB Board Meeting:</b></p> <div style="background-color: black; color: white; text-align: center; padding: 10px;"> <p><b>Tuesday January 26<sup>th</sup> 2021</b>  <b>Via Videoconference</b>  <b>4.15pm</b></p> </div>

Signed/Sínithe: \_\_\_\_\_

Date/Dáta: \_\_\_\_\_