

Kerry Education and Training Board Meeting Cruinniú Bhord Oideachais agus Oiliúna Chiarraí

Minutes of the Kerry Education and Training Board (Kerry ETB) meeting held in the Kerry ETB Head Office Boardroom, Centrepoint, Tralee, County Kerry on Tuesday, November 15th 2022

In Attendance:

Cllr. Aoife Thornton (VC)
Cllr. Cathal Foley (VC)
Ms Celia O'Shea
Cllr. Deirdre Ferris (VC)
Cllr. Fionnán Fitzgerald (VC)
Cllr. Jim Finucane
Ms Joan McCrohan
Cllr. Johnnie Wall

Mr Joe Brennan
Ms Maria O'Gorman
Cllr. Maura Healy-Rae (VC)
Cllr. Niall O'Callaghan
Cllr Norma Moriarty (VC)
Ms Tara Donoghue (VC)
Cllr. Terry O'Brien
Mr Zaid Kassoob

Mr Colm McEvoy, Chief Executive Officer (CEO); Ms Ann O'Dwyer, Director of Schools, Youth and Music (SYM); Ms Maria Brennan, Director of Organisation Support and Development (OSD); Ms Aileen O'Connor, Head of Corporate, Capital and Technology (CCT); Mr Tommy Conroy, Head of Finance; Ms Betty Corkey, Head of Human Resources (HR); Mr Pdraig O'Sullivan, Buildings Officer; Ms Trisha Tierney and Ms Catherine Horgan, Executive Support, were also in attendance.

11/2022/0	CONFLICT OF INTEREST COIMHLINT LEASA
	<p>As per Section 1.18 of Circular Letter (CL) 0002/2019, the conflict of interest form was circulated electronically before the meeting to be signed by Board Members.</p> <p>An Cathaoirleach asked Board Members to declare any conflicts of interest before commencing the meeting.</p>

11/2022/1	APOLOGIES AND CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	<p>Apologies/Leithscéalta</p> <ul style="list-style-type: none"> • Mr John O’Roarke, Board Member • Cllr. Marie Moloney, Board Member • Cllr. Michael Cahill, Board Member • Mr Niall Lucey, Board Member • Mr Tim Daly, Board Member • Mr Owen O’Donnell, Director of Further Education and Training
1.2	<p>Condolences/Comhbhrón</p> <p>An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> • To the families of the ten people who died tragically in Creeslough, North West Donegal. • Ms Tracey Corridon, Community Education, on the death of her grandmother, Ms Christina McGowan • Ms Louise Gaughran, Killarney Adult Basic Education, on the death of her father-in-law, Mr Tony Gaughran • Ms Arlene Keoghane, Adult Basic Education, on the death of her husband, Mr Roderick Nicholson • Ms Teresa Foley, Kerry College, on the death of her mother, Ms Molly Foley • Mr Edward O’Neill, Head Office, on the death of his aunt, Ms Jacqueline O’Neill Hussey • Ms Bernie McCarthy, Two Mile Community National School, on the death of her husband, Mr Dónal McCarthy • Ms Ciara O’Sullivan, Head Office, on the death of her mother, and to Mr Malcolm O’Sullivan, on the death of his mother-in-law, Ms Mary Herlihy • Mr Pat Dee, Clerk of Works Gaelcholáiste Chiarraí, on the death of his brother, Joseph Dee

11/2022/2	CONGRATULATIONS COMHGHAIRDEAS
	<p>Congratulations/Comhghairdeas No congratulations were recorded for this meeting.</p>
11/2022/3	MINUTES OF LAST BOARD MEETING - FOR ADOPTION MIONTUAIRISCÍ ÓN gCRUINNIÚ DEIREANACH BOIRD – LE GLACADH
	<p>The minutes of the previous Board meeting held on September 27th 2022, were circulated to Members in advance of the meeting.</p> <p>The minutes were adopted and signed at the meeting.</p> <p style="text-align: center;">Proposed: Cllr. Terry O'Brien Seconded: Cllr. Johnnie Wall</p>

11/2022/4

**MATTERS ARISING FROM MINUTES
AG ÉIRÍ AS NA MIONTUAIRISCÍ**

The following 'Matters Arising From Minutes' were addressed under the relevant reports under Section 6.0 - Executive Updates:

4.1	Ukrainian Response Update – see <i>Directors' Reports (Section 6.1 and 6.2)</i>
4.2	Audit of Annual Financial Statements 2020 and 2021 – see <i>Finance Report (Section 6.4)</i>
4.3	Head Office Service Charges – see <i>Finance Report (Section 6.4)</i>
4.4	Gaelcholáiste Nua School Building Project – see <i>Capital and Buildings Report (Section 6.6)</i>
4.5	Listellick National School – see <i>Capital and Buildings Report (Section 6.6)</i>
4.6	Lease Renewal Scamps and Scholars – see <i>Capital and Buildings Report (Section 6.6)</i>
4.7	ETB Nominee to MTU Governing Body – see <i>Chief Executive Officer Report (Section 6.7)</i>
4.8	Proposals re MTU South Campus Acquisition (ETB Head Office Accommodation) – see <i>Chief Executive Officer Report (Section 6.7)</i>
4.9	5-year Strategy Statement - as per Section 27 ETB Act 2013 – see <i>Chief Executive Officer Report (Section 6.7)</i>
4.10	Amendments to the Official Languages Act 2003 – see <i>Chief Executive Officer Report (Section 6.7)</i>
4.11	Iveragh United Football Club and Over the Water Sports Centre Company Limited by Guarantee – see <i>Chief Executive Officer Report (Section 6.7)</i>

11/2022/5	GOVERNANCE RIALACHAS
5.1	<p>Risk Management Update</p> <p>Ms Maria Brennan, Chief Risk Officer, and Ms Trisha Tierney, Executive Support, updated Board Members on the current review of the ETB's risk management framework, which refers to the organisation's overall approach to managing risk. It was noted that the ETB's framework is performing relatively well, with the Executive focusing more time and attention on managing risk. Additionally, it was noted that all elements of the Board's oversight of risk management, as per Section 7.2 of CL 0002/2009 (Code of Governance), are being addressed on a continual basis.</p> <p>In line with the provisions of Section 7.2 CL 0002/2009, the Executive completed a review of the ETB's risk management documentation to include the Risk Management Policy and Risk Appetite Statement. The recommended changes to these documents will be discussed at the November 17th, 2022, Audit and Risk Committee before being tabled at the December 2022 Board meeting for approval.</p> <p>The eight risks on the Corporate Risk Register Version 1.2, 2022, were reviewed and discussed.</p> <p>The Board noted same and thanked the Chief Risk Officer for her update.</p>

<p>5.2</p>	<p>Board Self-Assessment Evaluation 2022 - as per Section 4 of CL 0002/2019</p> <p>As advised at the September 2022 Board meeting, Governance Ireland was appointed to conduct the 2022 self-assessment of the Board in line with Section 4 of the CL 0002/2019 (Code of Governance).</p> <p>The process is nearing completion, with the Governance Ireland utilising confidential online surveys (of the Board and subcommittees), a high-level review of relevant documents and structured virtual consultations (with the Chairperson, a selection of Board Members, CEO, and Section 45 Committee Chairpersons) throughout late October/early November. The finalised report is expected to be issued to the ETB over the next two weeks and will be tabled at the December 2022 or January 2023 Board meeting for discussion.</p> <p>The report is expected to set out a high-level summary of findings and identify any areas of potential improvement/recommended action points.</p> <p>The Board noted this update.</p> <p>The CEO shared his thanks to Board Members for contributing to the process.</p>
<p>5.3</p>	<p>Kerry ETB Policies - <i>for approval</i></p> <p>The following policy, as circulated with the agenda, was presented for approval by Ms Maria Brennan, Director of OSD:</p> <ul style="list-style-type: none"> • Child Protection and Oversight Policy (Revision) <p>The Board approved the above-listed policy as presented.</p> <p style="text-align: center;">Proposed: Cllr. Terry O'Brien Seconded: Mr Zaid Kassoob</p>

5.4

Section 44 Committees: Minutes – for approval

There following Section 44 Committees' minutes, as circulated with the agenda, were presented for approval:

Section 44 Committee	Date of Meeting	Board Member in Attendance
Two Mile Community National School	20.06.22	n/a
Scoil an Ghleanna Scoil Náisiúnta Phobail	28.04.22 22.06.22	n/a
Castleisland Community College	09.06.22	Cllr. Fionnán Fitzgerald, Ms Joan McCrohan
Coláiste Gleann Lí	20.05.22	Cllr. Terry O'Brien, Mr Joe Brennan
	01.06.22	Cllr. Terry O'Brien, Mr Joe Brennan
	26.07.22	Cllr. Terry O'Brien, Ms Joan McCrohan
Coláiste na Sceilge	31.05.22	Cllr. Norma Moriarty, Mc Joan McCrohan
Gaelcholáiste Chiarraí	08.06.22	Cllr. Fionnán Fitzgerald, Mr Niall Lucey
Killorglin Community College	28.03.22	Cllr. Fionnán Fitzgerald
	08.06.22	Cllr. Fionnán Fitzgerald
Youth Work	11.05.22	Cllr. Norma Moriarty, Cllr. Marie Moloney
Music Generation Kerry	09.03.22	Cllr. Deirdre Ferris, Cllr. Niall O'Callaghan, Ms Tara O'Donoghue
Kerry College of Further Education and Training	03.05.22	Cllr. Jim Finucane
Further Education and Training Centres	24.11.21	Cllr. Niall O'Callaghan, Cllr. Norma Moriarty, Cllr. Michael Cahill, Ms Marie O'Gorman
	30.03.22	Cllr. Niall O'Callaghan, Cllr. Norma Moriarty, Cllr. Deirdre Ferris, Ms Marie O'Gorman

The Board approved the above-listed minutes.

Proposed: Cllr. Terry O'Brien
Seconded: Cllr. Johnnie Wall

5.5

Section 44 Committees: Appointments and Vacancies – for approval

The following Section 44 Committee appointments, as circulated with the agenda, were presented for approval:

Section 44 Committee	Proposed Individual	Nomination
Tahilla Community National School	Ms Fiona Martin (replacing Ms Sophie Kool) Mr Auke Schots (replacing Mr Paul Fairbairn)	Parents Nominees
	Sinead Connolly (replacing Karen Lawlor)	Teacher Nominee
Youth Work Committee	Mr Patrick McGarty (replacing Margaret Finch)	Community/Other Nominee
Further Education and Training Centres Governance Board	Sean McCarthy (replacing Judith Hayes)	Community Nominee

The Board approved the above-listed nominations.

Proposed: Cllr. Deirdre Ferris

Seconded: Cllr. Terry O'Brien

The following Section 44 Committee vacancies were presented:

Section 44 Committee	Current Vacancies
Castleisland Community College	1 Teacher Nominee (Female)
Causeway Comprehensive School	1 Ceist/Presentation Sisters Nominee
Coláiste na Ríochta	1 Board of Management/ Community Nominee
Coláiste na Sceilge	<u>1 Kerry ETB Nominee (or a non-ETB Board Nominee)</u>
Gaelcholáiste Chiarraí	1 Parent Nominee (Male)
Killarney Community College	<u>1 Kerry ETB Nominee (or a non-ETB Board Nominee)</u>
Killorglin Community College	1 Parent Nominee (Male) 1 Teacher Nominee (Male)
Youthreach	2 Parent Nominee (Male) 1 Staff Nominee (Female)
Youth Work	<u>1 Kerry ETB Nominee (or a non-ETB Board Nominee)</u>
Kerry College of Further Education and Training	OETC Business and Industry Nomine
Further Education and Training Centres	1 Community Nominee (Female)

Board Members noted 'Kerry ETB Nominee' vacancies on three subcommittees: Youth Work, Coláiste na Sceilge and Killarney Community College. These vacancies will be addressed further at the December 2022 Board meeting.

5.6

Section 45 Committees: Appointments and Vacancies

The Board was briefed on the recent resignation of Cllr. Aoife Thornton, Ms Joan McCrohan and Mr Zaid Kassoob from the Kerry ETB Finance Committee (Section 45 ETB Act 2013), with An Cathaoirleach thanking each Member for their work on the committee.

The CEO advised the Board that CL 0002/2019 (Code of Governance) provides for three to seven members on the Finance Committee (at least one Member to be external to the ETB). At present, the committee has **four** members: one internal and three external members.

In line with the Code's provisions, the CEO outlined that he had engaged with the Committee Chairperson to discuss these vacancies. The shared preference was for an additional internal and external member to join the committee (increase the number of ETB Board Members on the committee to at least two).

Following discussion, the Board approved the following appointments to the Kerry ETB Finance Committee:

Section 45 Committee	Internal Member	External Member
Finance Committee	Cllr. Terry O'Brien	Mr Noel Keenan

Proposed: Cllr. Niall O'Callaghan

Seconded: Cllr. Deirdre Ferris

Letters of appointment will issue to the newly appointed Finance Committee Members.

5.7

Section 45 Committees: Minutes and Meeting Notes

The following Section 45 Committees, minutes and meeting notes were circulated before the meeting:

Section 45 Committee	Meeting Date	Document
Audit and Risk Committee	May 19 th 2022	Minutes
Finance Committee	March 28 th 2022	Minutes
Finance Committee	October 20 th 2022	Meeting Note

Members noted same.

In addressing matters, the Head of Finance, Mr Tommy Conroy, referenced the two recommendations included in the Finance Committee Meeting Note dated October 20th 2022, i.e. (1) the adequacy of youth funding and (2) the completion of the external audits for 2020 and 2021.

An Cathaoirleach thanked the Head of Finance for the report.

5.8

Kerry ETB Partnership Schools: Appointments and Vacancies - *for approval*

The CEO outlined that a vacancy had arisen on the Board of Management (BOM) of Kerry ETB Partnership School, Pobalscoil Inbhear Scéine, following the resignation of the CEO's nominee, Ms Margaret Godley.

In addressing this matter, the CEO was proposed to fill this vacancy for the remaining term of the BOM, i.e. until July 31st 2025.

The Board formally approved the CEO's nomination to the Kerry ETB Partnership School, Pobalscoil Inbhear Scéine.

Kerry ETB Partnership Schools	CEO Nominee
Pobalscoil Inbhear Scéine	Mr Colm McEvoy

Proposed: Cllr Johnnie Wall
Seconded: Cllr Terry O'Brien

The Executive took note to follow up with the school principal in relation to this appointment.

11/2022/6	<p style="text-align: center;">Executive Updates Uasdátú ón bhFeidhmeannas</p>
6.1	<p>Schools, Youth and Music Report</p> <p>The Schools, Youth and Music Report, as circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Update on Schools Since September 2022 Board Meeting • Child Protection Oversight Committee • Schools and FET Working Group Meeting, Friday, September 23rd 2022 • Universal Design for Learning (UDL) • Traveller Support Teacher Update • Ukrainian Enrolment Numbers (REALT Update) • Youth Work Development • Local Creative Youth Partnership • Music Generation Kerry <p>In addition to the above, Ms Ann O'Dwyer, Director of SYM, provided the following updates:</p> <ul style="list-style-type: none"> • The ETBI Patrons' Framework on Ethos launch will take place on November 23rd 2022, at ETBI Headquarters, Naas, Co. Kildare. • Kerry ETB school enrolments for 2022/23 are over 3,100 for all schools. <p>In addition, the Board were advised that the matter of parent/guardian school contributions is under consideration. A short report is being prepared to address the level of collected parent/guardian school contributions. This report will be tabled at the December 2022 Board meeting for consideration. The possible reduction of these annual contributions may be considered as part of this process.</p> <p>In addressing this matter, Mr Joe Brennan and Ms Maria O'Gorman, Board Members, welcomed the report's compilation and advised, if feasible, that the reduction of annual parent/guardian contributions should be given strong consideration. Cllr Deirdre Ferris, echoing this sentiment, advised that a notice to pay school contributions may be a cause of embarrassment or stress for pupils and students from socially deprived backgrounds.</p> <p>A further update will be provided at the December 2022 Board meeting.</p> <p>The Board shared its thanks to the Director of SYM for her report.</p>

<p>6.2</p>	<p>Further Education and Training Report The Further Education and Training Report, as circulated with the agenda, was noted by the Board. The report addressed the following:</p> <ul style="list-style-type: none"> • Budget 2022 Mid-Year Allocation • FET Beneficiaries Year to Date (October) • Kerry College September 2022 Registrations • Letter to SOLAS CEO, Mr Andrew Brown Lee re PLC census data • SIUF Announcements – Minister Harris Visit, October 3rd, 2022 • Programme Updates: <ul style="list-style-type: none"> ○ Commis Chef Apprenticeship ○ National Digital Skills Centre – New Programmes ○ Wind Turbine Maintenance Technician Apprenticeship • Strategic Performance Agreement 2022/24 • Ukraine Update <p>Board Members noted the Director of FET’s report.</p> <p>In addition to the above, the CEO advised that it was his understanding that announcements are imminent regarding the FET capital project applications, as submitted by ETBs.</p>
<p>6.3</p>	<p>Organisation Support and Development Report The Organisation Support and Development Report, as circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Internal Control Update • Tralee Community Training Centre • Parliamentary Questions Received in 2022 <p>In addition to the above update, the Director of OSD also provided an update on remote working (as below).</p> <p><u>Tralee Community Training Centre</u> Ms Maria Brennan, Director of OSD, advised the Board that enrolment numbers at the centre have increased in recent weeks.</p> <p>Cllr. Deirdre Ferris commended the work of the Director of OSD and the Executive for their work and support for the Tralee Community Training Centre (CTC) in recent months. She advised that the new CTC Board is working well and requested that letters of thanks be issued to the Board Secretary, Mr Noel Keenan, and Chairperson, Cllr. John Brassil, to acknowledge their commitment.</p> <p>It was agreed to issue the letters of thanks as requested.</p>

Remote Working

The Board was advised that discussions are ongoing regarding the ETB's approach to remote working. The CEO advised that while staffing matters are an executive function, the ETB's policy direction warrants Board discussion.

In addressing this matter, the CEO advised that the Executive fully supports remote/hybrid working arrangements. However, as set out in the Government's National Remote Working Strategy "Making Remote Work," it is important not to conflate the experience of home working during the pandemic (emergency arrangements) with remote working under a regular scenario, i.e. long-term planned remote working for the organisations.

It was in this context that the Board Members were provided with the following update from the Director of OSD:

- Over the past two years, the emergence of remote working has changed the work landscape, with many organisations embracing more flexible work arrangements, i.e. remote or hybrid working arrangements.
- On January 15th 2021, the Tánaiste and Minister for Enterprise, Trade and Employment, Mr Leo Varadkar TD, published Ireland's first National Remote Work Strategy to make remote working a permanent option after the pandemic. What was to follow was a framework for implementing the strategy for the civil and public sectors.
- The publication of this framework has remained outstanding since December 2021 (i.e. Right to [Request Remote Work Bill](#) 2021 remains in draft format).
- The Board approved a Kerry ETB Remote Working Policy on October 27th 2020. The needs of the COVID-19 pandemic drove this policy.

The decision was taken at the October 11th 2021, Senior Executive Management (SEM) meeting to stand down the Remote Working Policy when the COVID-19 workplace restrictions were eased. At that time, it was noted that the policy needed to be revised to take into consideration longer-term remote working arrangements and pending government legislation.

Presently, on foot of a request from the FORSA union, the SEM team is working on drafting a 'long-term' remote working policy for the organisation. As this policy will have a long-term effect on the ETB, the following matters need to be considered:

- The definition and shared understanding of remote working.
- The possible establishment of Kerry ETB/non-Kerry ETB remote working hubs across the county for staff to provide for remote working and help reduce commute times.
- The ETB's commitment in terms of sustainability and reducing our carbon footprint.

- The need to consider the viability of continuing to pay current Head Office rent levels should a significant percentage of staff opt to work remotely.
- The application of a remote working policy across all categories of staff, including teaching and training staff.
- The Board/organisation's expectations re in-person customer service delivery.

Expanding on the above, the Director of OSD advised the Board that Kerry ETB's proposed long-term approach is underpinned by the premise of *"remote" working as opposed to "home" working*.

It was noted that establishing remote working hubs could provide staff with greater work-life balance, i.e. allow for reduced commute times and mitigate against potential legislative/compliance issues with particular reference to health and safety, data security, GDPR etc.

In the ensuing discussion regarding this matter, the following points were noted:

- Kerry ETB is supportive of remote/hybrid arrangements.
- Support for the ETB establishing remote working hubs/ offices in key locations across the county.
- Possibility of the ETB staff utilising the current network of remote working hubs in County Kerry, for example, Hubs Network established in Baile na Sceilg, Sneem, Listowel, Kenmare, Listowel Castleisland, Dingle etc.
- Possible use of the ETB's current building estate across the county as remote working hubs/office locations.
- The importance for the ETB to act in the interest of sustainability and reduce its carbon footprint.
- The potential for remote working hubs/offices to increase the appeal of the ETB as an employer to potential job applicants across the county.
- The potential advantage of local ETB hubs/offices for the public seeking to access services of the ETB locally.

In concluding the discussions, it was noted that the ETB's policy for establishing remote working hubs would be examined further, and an update will be provided for the Board at a later meeting.

The Board thanked the Director of OSD for her comprehensive update.

<p>6.4</p>	<p>Finance Report</p> <p>The Finance Report, as circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Finance Update • Audit of Annual Financial Statements 2020 and 2021 - as per Matters Arising (Section 4.7) • Head Office Service Charges <p>In addition to the above, the Head of Finance, Mr Tommy Conroy, provided an update on the Draft Letter of Representation (Management Letter) 2020.</p> <p><u>Letter of Representation (Management Letter) 2020</u></p> <p>The Head of Finance advised the Board that a satisfactory Management Letter for 2020 had been received. A hard copy of the letter was provided to all Board Members at the meeting and circulated via email to all members attending the meeting online.</p> <p>Receipt of the satisfactory Management Letter for 2020 is confirmation from the Comptroller & Auditor General (C&AG) that the Financial Statements (for 2020) are cleared, and the Letter of Representation can be signed. The Letter of Representation is signed by the ETB's Chairperson and CEO and issued to the C&AG with the audited financial statements.</p> <p>In line with the provisions of the Code of Governance, the Letter of Representation accompanying the 2020 Financial Statements will be reviewed by both the Audit & Risk Committee (as per Appendix 11 of the Code - Terms of Reference for Audit & Risk Committee) and the Finance Committee (as per Appendix 14 of the Code – Terms of Reference for the Finance Committee) before being signed by the Chairperson and CEO.</p> <p>The Board noted the update.</p> <p>The Board shared its thanks to the Head of Finance for his report.</p>
<p>6.5</p>	<p>Corporate, Capital and Technology Report</p> <p>As circulated in advance of the meeting, the Corporate, Capital and Technology (CCT) Report was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Cyber Security • Health and Safety • Sustainability Update <p>An Cathaoirleach thanked the Head of CCT for her report.</p>

6.6

Capital and Buildings Report

The Capital and Buildings Report, as circulated with the agenda, was noted by the Board and taken as read. The report addressed the following:

- Gaelcholáiste Nua School Building Project - as per Matters Arising (Section 4.4)
- Listellick National School - as per Matters Arising (Section 4.5)
- Lease Renewal Scamps and Scholars - as per Matters Arising (Section 4.6)
- Major Devolved Projects Current Status
- Additional School Accommodation Projects Current Status
- Emergency Works Scheme/Summer Work Scheme Projects Current Status
- FET Projects Current Status
- Kerry ETB Capital and Buildings Subcommittee
- Land and Leases (as circulated)
- Proposed Purchase of House and Lands in Listowel
- Sandford Energy, Causeway

In addition to the above, the following matter was tabled and discussed at the meeting:

- Lease – “The Lodge Killorglin” – Killorglin VTOS

Gaelcholáiste Nua School Building Project - as per Matters Arising (Section 4.1)

In addition to the circulated report, the Buildings Officer, Mr Pdraig O’Sullivan, also provided the following update to the Board:

- The building is expected to have electrical power by the end of November/early December 2022.
- Members were advised that the Post Contract Inflation Uplift Report was submitted to the Department of Education (DE) on November 11th 2022. The report has sought agreement to an overall increase in cost since project start to finish of c. €1,373,041.94 ex VAT. No response from the DE has been received to date.
- By the project's close, it is expected that the school will have generated expenditure of c. €20 million.

Based on the current programme schedule, it is planned to open the school post-Easter 2023. A phased transition plan to the new building will be put in place.

In addition, the CEO thanked the Kerry County Council CEO for the Council’s continued support for the project.

Listellick National School - as per Matters Arising (Section 4.5)

Presently, the contractor is awaiting the connection of ESB for the building to progress with internal finishes and decoration. The revised project completion date, as issued by Cahalane Brother Limited, is February 2023.

A site meeting is due to take place on November 16th 2022, with the design team and main contractor.

Kerry ETB continues to monitor and review progress on site.

Lease Renewal Scamps and Scholars - as per Matters Arising (Section 4.6)

As per the September 2022 Board meeting, the CCT Department met with the preschool provider on October 11th 2022, to discuss the renewal terms and the long-term development plans for the site. At the meeting, the consolidation of the two existing leases into one new one and an annual lease fee was discussed.

The Executive sought the Board's opinion on the annual lease fee.

Following discussion, it was agreed that a €100 annual fee would be sufficient given the preschool provider's charity status. The Head of CCT clarified that this fee would cover the cost met by Kerry ETB to administer the lease annually to the preschool provider.

Accordingly, the below renewal terms of the consolidated lease were presented to the Board for discussion and approval.

Scamps and Scholars (Killorglin Community Childcare)	
Justification:	Consolidation of the two existing expired leases
Fee:	€100 per annum
Area:	Site at Killorglin Community College comprising of c 0.67 acres
Term:	15 Years

Proposed: Ms Joan McCrohan

Seconded: Cllr Johnnie Wall

It was noted that the proposed lease renewal is subject to Department approval.

In addition, the Head of CCT advised that the preschool provider had successfully applied to build an extension to the ground floor of the building. It was noted that the application had been submitted without a letter of consent from Kerry ETB (as landowner). The lessee (the preschool provider) has requested a letter of retrospective approval from the ETB.

Further details in relation to the request will be tabled at the December 2022 Board meeting.

Kerry ETB Capital and Buildings Subcommittee

The first meeting of the Kerry ETB Capital and Buildings Subcommittee has taken place, with the second meeting scheduled for the week commencing November 21st 2022.

Proposed Licence Agreement Kerry ETB and Kelliher's Site "Station Point

As was addressed at the July 2022 Board meeting, it was proposed to develop a hard-standing area adjacent to the Head Office to address a shortfall in storage space. This proposal would also facilitate additional (overflow) car parking spaces for ETB staff and visitors.

Kerry ETB has discussed the matter with the landowner of the vacant property adjacent to Centrepoint. This proposed licence agreement would provide a minimal-cost option for Kerry ETB, as the landowner would fund the development of this area, i.e. clear the area, install a security barrier and provide a hard-standing area for the installation of storage containers and car parking spaces.

Accordingly, Board approval was sought for the following license agreement:

Kelliher's Site 'Station Point,' Chutes Lane/Centre Point, Tralee	
Justification:	Additional space to store containers of excess furniture and equipment
Fee:	€15,000 per annum plus VAT (if deemed applicable)
Area:	c. 0.25 Acres
Term:	Two years: January 1 st 2023, to January 1 st 2025

Proposed: Cllr Johnnie Wall
Seconded: Cllr. Terry O'Brien

It was noted that the proposed licence agreement is subject to Department approval.

Lease Renewal for Approval (FET): 37 High Street, Killarney

Board approval was sought to proceed with the following lease renewal:

37 High Street, Killarney	
Justification:	Provision of FET courses, namely ABE
Fee:	€35,055 per annum, including VAT
Area:	c. 2,540 square feet
Term:	Two years: December 1 st 2022, to December 1 st 2024

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

It was noted that the proposed lease renewal is subject to Department approval.

Lease – “The Lodge Killorglin” – Killorglin VTOS

The Board was advised that Kerry ETB occupies the property at “The Lodge” Market Street, Killorglin, for VTOS and other FET courses under a lease agreement. The lease agreement was originally for four years commencing in 2009.

This lease was retrospectively approved by the Department as confirmed by letter on August 15th 2018, and was noted at the ETB Board meeting on September 25th 2018.

Since 2018 the ETB has been seeking alternative accommodation for the services located in this building. The below (2009) lease clause has been relied upon in the interim:

Clause 4 (b) of the original lease agreement states:

“if the tenancy hereby created should continue beyond the date specified herein it shall in the absence of a new agreement be deemed to be a tenancy determinable by one calendar months' notice in writing by either party expiring on any gale day.”

At this point, the ETB intends to engage with the landlord for a possible lease renewal at the premises and continue to try to source/advertise alternative properties in the area.

The Buildings Officer advised the Board that there has been no increase in the rent (€26,000 per annum) over the period.

A further update will be provided at a future Board meeting.

The Board noted this update.

Proposed Purchase of House and Lands in Listowel

On October 10th, 2022, Kerry ETB received an email from the Department of Education’s Site Acquisition and Property Management Section advising of approval for Kerry ETB to enter negotiations with the landowner.

It was noted that the Kerry ETB may not enter any binding contract for the property acquisition until the Department has provided formal sanction. Kerry ETB will need to advise the Department when an “Agreement in Principle” has been reached with the landowner (if an agreement is reached). The ETB’s legal agents have been advised of this communication from the Department.

Engagement with the landowner is ongoing by the ETB’s legal agents.

The Board thanked the Buildings Officer for his comprehensive report.

The CEO addressed the sale of the Presentation Convent on Killarney’s Cathedral Place. The property has come on the market recently with an

	<p>asking price of €1.5 million. Given the ETB's current rental commitment for premises in Killarney and the location of the building adjacent to other educational facilities, the Executive was bringing this matter to the attention of the Board.</p> <p>The CEO advised that there have been some communications regarding this matter with the Department. The Board were fully supportive of same and asked that the Executive explore the possible acquisition of this building fully with the Department.</p> <p>A further update will be provided at the next meeting.</p>
6.7	<p>Chief Executive Officer Report</p> <p>As circulated with the agenda, the Chief Executive Officer Report was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • ETB Nominee to Munster Technological University Governing Body • Update re 5-year Strategy Statement - as per Section 27 ETB Act 2013 • SIUF Capital Funding Launch, October 3rd 2022 • Upcoming Kerry ETB Events • Tralee Regional Sports and Leisure Company Limited by Guarantee • Iveragh United Football Club and the South Kerry Sports Centre • Tralee Community Training Centre • Amendments to the Official Languages Act 2003 • Proposals re Munster Technological University South Campus Acquisition (ETB Head Office Accommodation) <p>The following matters were addressed at the meeting:</p> <p><u>ETB Nominee to MTU Governing Body</u></p> <p>The Board was advised of a letter received by the CEO dated September 16th, 2022, advising of the next potential ETB nominee to the Governing Body of the Munster Technological University (MTU). A copy of this letter was circulated with the Board meeting notice.</p> <p>Regarding this matter, the Technological Universities Act 2018, Section 12(1)(j) (as below) currently provides that one Member of MTU's Governing Body is nominated by the ETB(s) in whose education and training board area the campuses of the technological university are located.</p> <p style="text-align: center;"><i>Section 12(1) (j) one external Member nominated, in accordance with its or their own procedures, by the education and training board or boards in whose education and training board area the campuses of the technological university are located.</i></p> <p>Relatedly, it was noted that the Higher Education Authority Bill, when enacted, will no longer make provision for ETBs to have a direct nomination on the governing body of a technological university. Consequently, this</p>

nomination process may be rendered “null and void” if this section of the new Higher Education Authority Act 2022 is enacted before January 1st, 2023.

Having considered the matter, the Board nominated Cllr. Niall O’Callaghan as the (Kerry ETB) ETB nominee to the MTU Governing Body.

Proposed by: Joan McCrohan
Seconded by: Maura Healy-Rae

Tralee Regional Sports and Leisure Company Limited by Guarantee

It was noted that the Annual General Meeting of the Tralee Regional Sports and Leisure Company Limited by Guarantee Board of Directors is scheduled for November 29th 2022. The agenda for the meeting is as follows:

- To receive and consider the Directors and Auditors Reports and Statement of Accounts for the year ended December 31st 2021.
- To transact any other business incidental to the Annual General Meeting.

Proposals re Munster Technological University South Campus Acquisition (ETB Head Office Accommodation)

The CEO advised the Board of a meeting with the MTU President in Cork on November 16th 2022, to discuss the proposals. The CEO and Director of OS&D will attend the meeting.

As was noted previously, the proposed acquisition of the South Campus by the ETB would provide for the relocation of significant FET provision currently in leased buildings to this site. The possible relocation of the ETB Head Office to this site could also be considered.

A further update will be provided at the December meeting.

The Board thanked the CEO for his update.

11/2022/7	CORRESPONDENCE COMHFHREAGRAS
7.1	DE Correspondence: Noted as listed
7.2	DE Circular Letters: Noted as listed
7.3	DE Press Releases: Noted as listed
7.4	DFHERIS Correspondence: Noted as listed
7.5	DFHERIS Press Releases: Noted as listed
7.6	Department of Children, Equality, Disability, Integration and Youth Correspondence: Noted as listed
7.7	ETBI Correspondence Noted as listed
7.8	SOLAS Correspondence Noted as listed
7.9	Other Correspondence Noted as listed

11/2022/8	MEMBERS' BUSINESS GNÓ NA gCOMHALTAÍ
	Nil at the time

11/2022/9	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
	<p>Ukrainian Learners – Hi-Vis Jackets Cllr Norma Moriarty requested, if possible, for additional hi-vis jackets to be provided to Ukrainian learners in the southwest area of the county. Some learners are walking to access classes. These jackets could help with the road safety of learners,</p> <p>The CEO took note to follow up with Kerry College’s Admissions Office in relation to same.</p> <p>Killorglin Sports Complex Regarding the lease arrangement in place for the Killorglin Sports Complex, Cllr. Niall O’Callaghan sought clarification regarding the organisation of events at the complex.</p> <p>The Head of CCT took note to revert re same.</p> <p>Next Kerry ETB Board Meeting: The date for the December 2022 Board meeting was noted as follows:</p> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <p>Date: December 6th 2022 Time: 05:30 pm Location: Meadowlands Hotel, Oakpark, Tralee, Co. Kerry</p> </div>

Signed/Sínithe: _____ Date/Dáta: _____