

**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 April 27<sup>th</sup> 2021.

**In Attendance:**

Cllr. Jim Finucane  
Cllr. Michael Cahill  
Cllr. Fionnán Fitzgerald  
Cllr. Maura Healy-Rae  
Cllr. Norma Moriarty  
Cllr. Aoife Thornton  
Mr. Noel Keenan  
Ms. Maria O’Gorman  
Mr. Zaid Kassoob

Cllr. Terry O’Brien  
Cllr. Johnnie Wall  
Cllr. Deirdre Ferris  
Cllr. Marie Moloney  
Cllr. Niall O’Callaghan  
Mr. Joe Brennan  
Ms. Catriona Kerin  
Ms. Joan McCrohan  
Ms. Celia O’Shea

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), Ms. Maryanne Lowney, Support to Directors of FET and SYM, Mr. Tommy Conroy, Head of Finance, Ms. Aileen O’Connor, Head of Corporate, Capital and Technology (CCT) Department, Ms. Betty Corkey, Head of Human Resources, Mr. Pdraig O’Sullivan, Buildings Officer, Ms. Patricia Tierney, Executive Support, Ms. Karen Griffin, Executive Support and Ms. Catherine Horgan, Executive Support were also in attendance.

**As a mark of respect to Board Member, Mr. Tim Daly on the recent death of his Mother, Ms. Eilis Daly, a minutes silence was held.**

An Cathaoirleach welcomed Ms. Celia O’Shea, the new staff representative, to her first meeting of the Board.

**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.**

04/2021/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	<b>Apologies/Leithscéalta:</b>
1.2	<b>Condolences/Comhbhrón:</b> An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to: ➤ Mr. Tim Daly, Kerry ETB Board Member and Ms. Catriona Daly, Kerry College Outdoor Education and Training Campus on the death of their Mother, Ms. Eilis Daly.

	<ul style="list-style-type: none"> <li>➤ Ms. Shivaun Shanahan, Head Office, on the death of her Aunt, Ms. Eilis Daly.</li> <li>➤ Ms. Jackie Walsh, Killorglin Community College, on the death of her Sister, Ms. Edel Walsh.</li> <li>➤ Mr. Andy Cane, Kerry College Monavalley Campus, on the death of his Father, Mr. Graham Cane.</li> <li>➤ Elaine Clifford, Killarney Adult Basic Education (ABE), on the death of her Father-in-Law, Mr. Paddy O'Donoghue.</li> <li>➤ The O'Connell Family, on the death of Mr. Michael O'Connell, former teacher in Killorglin Community College.</li> <li>➤ Mr. Stephen O'Sullivan, Architect, on the death of his Father-in-Law, Mr. Liam Dillon.</li> <li>➤ The Kearney Family, on the death of Ms. Angela Kearney, former teacher in Coláiste na Ríochta.</li> </ul>
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04/2021/2	CONGRATULATIONS COMHGHAIRDEAS
2.1	<p><b>Congratulations/Comhghairdeas:</b> Congratulations to:</p> <ul style="list-style-type: none"> <li>➤ All the Castleisland Community College students involved in the SOPHia Physics competition, who won a first and third prize in the Transition Year (TY) Submission category and four prizes under the Special Prize Awards.</li> <li>➤ Rachel Griffin from Killarney Community College in Transition Year (TY) who received a Garda Youth Achievement Award.</li> <li>➤ The Transition Year (TY) team and Mr Joy in Castleisland Community College who have made it to the last three teams in the Construction Industry Federation Build a Home National Competition.</li> <li>➤ Kevin Keane, a past pupil of Castleisland Community College, who was awarded a University College Cork Entrance Scholarship for the 2020/2021 academic year on the basis of his Leaving Certificate results.</li> <li>➤ Castleisland Community College Lifesavers on winning at the Lee Strand Garda Youth Achievement Award.</li> <li>➤ Caitríona Ní Mhurchú and Eilís Nic Ionnrachtaigh from Castleisland Community College who are in the Junior Regional Final of the Gael Linn public speaking competition.</li> <li>➤ Bradlaigh Smith, Natasha Myers and Tyler O'Sullivan, Killorglin Community College who were each awarded a Lee Strand Kerry Garda Youth Achievement Award.</li> <li>➤ Molly Gabbett, 3rd Year student from Killorglin Community College who has been selected to represent Killarney Rugby Club in the U16 Kerry Rugby regional development squad.</li> </ul>

<b>04/2021/3</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 March 30<sup>th</sup> 2021 were adopted and signed.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Marie Moloney</b></p>

<b>04/2021/4</b>	<b>MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ</b>
<b>4.1</b>	<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>➤ Kerry ETB received formal approval to issue the Letter of Acceptance to Vision Contracting Limited on March 22<sup>nd</sup> 2021. On March 23<sup>rd</sup> 2021, Oppermann Associates, on behalf of Kerry ETB, issued the Letter of Acceptance to Vision Contracting Limited, based on a finalized contract sum of €13,791,303.27 excluding VAT. The contract start date is defined as March 24<sup>th</sup> 2021</li> <li>➤ Vision Contracting Limited commenced on site on March 24<sup>th</sup> 2021, and the contracted programme is for completion to be achieved within 75 weeks as per Tender and Schedule of the contract, <b>substantial</b> completion by August 31<sup>st</sup> 2022.</li> <li>➤ Site meetings will be held, virtually, every month and technical workshops will also be held monthly. Site meetings were held on March 10<sup>th</sup> 2021 and April 7<sup>th</sup> 2021.</li> <li>➤ Kerry ETB were made aware of archaeological finds within the school site on March 31<sup>st</sup> 2021 and were notified of change order and Claim No. 1 on April 1<sup>st</sup> 2021 from the contractor in line with Schedule Part 1K of the contract between Kerry ETB and Vision Contract Limited, archaeological finds are identified as both a compensation and delay event under the PwCF1 Contract.</li> <li>➤ The contractor has issued an initial notice of this change order to the Design Team Lead, we await the Design Teams feedback re this claim and in due course. On April 8<sup>th</sup> 2021, Kerry ETB issued a letter to the Department of Education (DoE) advising them of this development and we await their feedback and approval on same.</li> <li>➤ Alison McQueen &amp; Associates (Archaeologists) on behalf of Kerry ETB have commenced remediating these finds and once investigated the area</li> </ul>

	<p>of the site in question will be returned to the contractor. There has been no programme delay due to these finds at this stage.</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB have appointed Dominick Walsh, Photographer to record footage of the site during the construction phase.</li> <li>➤ Site level reduction is currently underway on site and the contractor is commencing work on foundations.</li> </ul> <p>The Board noted this update.</p> <p>The CEO advised that confirmation had been received from the office of the Minister for Education, Ms. Norma Foley, TD that she will officially ‘turn the sod’ to mark the commencement of the Gaelcholáiste Chiarraí Nua Construction at 10.00am on Friday May 14<sup>th</sup> 2021.</p> <p>All arrangements re the “sod turning” are subject to Public Health advice and COVID-19 compliance requirements. Details of arrangements will be circulated to Board Members in due course.</p>
<p><b>4.2</b></p>	<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 on February 24<sup>th</sup> 2021 received an email from Brian O’Connell, School Capital Appraisal Section, DoE in relation to ongoing developments re an alternative location for FET provision in Listowel. The DoE have sought to confirm the future needs of Coláiste na Ríochta to allow for the development of a master plan of the Coláiste na Ríochta site to include a permanent location for Gaelscoil Lios Tuathail.</li> <li>➤ Members of the Kerry ETB Corporate, Capital and Technology (CCT) Department met with the Principal and Deputy Principal in relation to the above matter and an application has been drafted and will be submitted, on week beginning May 1<sup>st</sup> 2021, following a meeting of all stakeholders to review the draft document.</li> <li>➤ Two Prefabs have been installed over Easter and will be available to the post-primary school, from April 29<sup>th</sup> 2021, as two additional classrooms.</li> <li>➤ Design works are underway in relation to two projects to be undertaken, under the Emergency Works Scheme, at the school during Summer 2021. This will represent an investment of c.€180,000 for the school.</li> <li>➤ In addition, the proposed purchase of a Listowel Building (Unit 1 Listowel Business Development Centre, Listowel Business Park, Listowel Co. Kerry, V31 PC79) are addressed under <b>Section 4.6</b> of matters arising.</li> </ul> <p>The Board noted this update.</p>

<p><b>4.3</b></p>	<p><b>Listellick National School Building Project Update</b>  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 March 2<sup>nd</sup> 2021, the Design Team Lead (Oppermann Associates), on behalf of Kerry ETB, published the tender for the appointment of the main contractor for the construction of the new school at Listellick Tralee.</li> <li>➤ Kerry ETB received six tenders for main contractor ahead of the deadline, April 9<sup>th</sup> 2021, for receipt of tenders.</li> <li>➤ Oppermann Associates on behalf of Kerry ETB is currently evaluating the tender submissions. Following the evaluation process Oppermann Associates will prepare and issue a Stage 3 Tender Report recommending the appointment of the main contractor. The Design Team Lead advised that the Stage 3 Report will be issued by close of business today, April 27<sup>th</sup> 2021, for submission to the DoE.</li> <li>➤ Following receipt of the Stage 3 Tender Report, Kerry ETB will then request DoE approval to commence the appointment process.</li> <li>➤ On receipt of the DoE approval of the Tender report Kerry ETB will issue letters to the tenderers advising them of the successful main contractor.</li> <li>➤ There will be a standstill period of 16 calendar days, thereafter Kerry ETB will issue a supplementary report to the DoE requesting approval</li> <li>➤ Based on current project timelines Kerry ETB expect to commence on site in June 2021.</li> </ul> <p>The Board welcomed this update.</p>
<p><b>4.4</b></p>	<p><b>Kerry Diocesan Youth Service (KDYS) and Kerry ETB Mediation Update</b>  An update was provided by the CEO that addressed the following</p> <ul style="list-style-type: none"> <li>➤ A virtual meeting is scheduled with the Department of Children, Equality, Diversity, Inclusion and Youth (DCEDIY) for Thursday, April 29<sup>th</sup> 2021</li> <li>➤ A further update will be provided following this meeting.</li> </ul> <p>The Board noted this update.</p>
<p><b>4.5</b></p>	<p><b>Head Office Rent Review update</b>  The Head of Finance provided the following update:</p> <ul style="list-style-type: none"> <li>➤ An Arbitrator has been appointed to arbitrate on the Market Rent as at August 1<sup>st</sup> 2020.</li> <li>➤ The arbitration is proposed to take place via a “Documents Only Procedure”</li> <li>➤ Kerry ETB will have to appoint a valuer to submit a document detailing their opinion of market rent as at August 1<sup>st</sup> 2020.</li> <li>➤ Landlords Representative (Savills) will submit a similar proposal.</li> </ul>

	<p>The Board was advised that the Arbitrator will make a determination based on the cases presented.</p> <p>The Board noted this update.</p>
4.6	<p><b>Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate and Unit 1, Listowel Business Development Centre Sale Updates</b> An update was provided by the Buildings Officer; Mr. Pdraig O’Sullivan as follows:</p> <p><b>Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate</b></p> <ul style="list-style-type: none"> <li>➤ As addressed at the March. 30<sup>th</sup> 2021 Board meeting, Kerry ETB has been advised that Shannon Commercial Properties (SCP) are completing the sale of the property to a third party.</li> <li>➤ On April 9<sup>th</sup> 2021, Murphy Ramsey Walsh (MRW) Solicitors asked SCP to confirm the name of the current building owners in order for the ETB to engage re lease matters etc. Kerry ETB’s lease of this building is due to expire on June 30<sup>th</sup> 2021 and wishes to address options with the landlord.</li> <li>➤ On April 15<sup>th</sup> 2021, Kerry ETB placed an advert in the local newspaper seeking expressions of interest re leasing a property of c. 20,000 sq. feet in Tralee for apprentices etc. The closing date for receipt of expressions of interest as per the advert was 12 noon Monday April 26<sup>th</sup> 2021 and two expressions of interest were received.</li> </ul> <p><b>Unit 1, Listowel Business Centre, Listowel</b> The following update was provided in respect of the proposed acquisition of Unit 1, Listowel Business Centre, Listowel:</p> <ul style="list-style-type: none"> <li>➤ On March 19<sup>th</sup> 2021, Murphy Ramsey Walsh (MRW), Kerry ETB legal representative, received substantial documentation from SCP legal representative, Cushman and Wakefield, in respect of current tenancies - lease and licence arrangements - for this building. SCP sought confirmation that the ETB is satisfied to proceed based on the current status of the units in the Listowel building.</li> <li>➤ On March 22<sup>nd</sup> 2021, MRW addressed a number of queries with Cushman and Wakefield re the tenancies tenures etc. A response to same was received on March 26<sup>th</sup> 2021.</li> <li>➤ On March 30<sup>th</sup> 2021, Kerry ETB representatives met with MRW to discuss the sale, in particular, matters re vacant possession and the tenant’s entitlement to renew their lease as per the Landlord and Tenant (Amendment) Act 1980.</li> <li>➤ On March 31<sup>st</sup> 2021, MRW advised Cushman and Wakefield that Kerry ETB will consider matters and it is expected the ETB would be in a position to provide an update by Wednesday, April 7<sup>th</sup> 2021.</li> <li>➤ On April 9<sup>th</sup> 2021, MRW issued email to Cushman and Wakefield seeking a period of 3 weeks for the ETB to address and clarify matters re the current tenants.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ On April 15<sup>th</sup> 2021, Kerry ETB Representatives held a virtual meeting with one of the current building tenants – Ionic Consulting.</li> <li>➤ On April 15<sup>th</sup> 2021, MRW confirmed to Cushman and Wakefield that the ETB was in a position to advance matters re the proposed building acquisition.</li> <li>➤ On April 22<sup>nd</sup> 2021, Head of Terms (HOT) – non binding - for purchase were received from MRW solicitors as issued by SCP.</li> </ul> <p>In addressing matters further, on April 26<sup>th</sup> 2021 representatives from Kerry ETB, including MRW Solicitor, met with SCP representatives to seek final clarification re tenures of current tenancies and licence agreements for this building. At this meeting SCP advised that vacant possession may not be realised until the end of March 2022 as two additional tenancy arrangements have been committed to by SCP until end of March 2022.</p> <p>On April 27<sup>th</sup> 2021, Kerry ETB issued a letter to the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) providing a comprehensive update re matters addressing vacant possession, and current tenancies.</p> <p>Board approval is being sought to proceed with the acquisition and to complete the signing of the Heads of Terms (non-binding) for the purchase of this building</p> <p>The Board unanimously approved the signing of the non-binding Heads of Terms for the acquisition of this building.</p> <p style="text-align: center;"><b>Proposed: Ms. Maria O’Gorman</b> <b>Seconded: Cllr. Aoife Thornton</b></p> <p>The Board members were advised that matters will be progressed with DFHERIS and SOLAS i.e. approval will be sought to sign the Head of Terms (non-binding).</p>
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<b>04/2021/5</b>	<b>EDUCATION AND TRAINING TOPICS FOR DISCUSSION</b> <b>ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ</b>
	<p><b>COVID-19 Update</b> Updates were provided by the Director of Schools, Youth &amp; Music (SYM) and the Director of Further Education &amp; Training (FET) addressing COVID-19 related matters.</p> <p>An Cathaoirleach thanked the Director of SYM, Ms. Ann O’Dwyer and the Director of FET, Mr. Owen O’Donnell on behalf of the Board for their updates.</p>

### **Presentation on Kerry ETB Youth Services**

The Kerry ETB Youth Services, Youth Development Officer, Mr. Seamus Whitty, made a presentation addressing the following:

- Management, administration and oversight of youth funding from the DCEDIY
- Kerry ETB Youth Work Committee
- DCEDIY expectations
- Youth Development Office (YDO) Areas of Responsibility
- Funding and Budgets
- Discussion on operating principles for Kerry ETB YDO
- Goals and Priorities
- Greenfield sites

A copy of the presentation was circulated to Board members in advance of the meeting.

In terms of addressing Goals and Priorities as set out, the YDO confirmed that a Kerry ETB Youth Strategy 2022-2024 will be prepared for approval and publication by the end of March 2022, this was welcomed by the Board.

An Cathaoirleach thanked the YDO for the presentation.

### **Presentation on the representation and affiliation issues regarding the "Parent Voice" and the role of the ETBs National Parents' Association (NPA) as the national representative body of ETB Schools and institutions by ETB Board Members and Kerry ETB Members of the NPA Mr. Noel Keenan and Ms. Catriona Kerin.**

An update on the ETBsNPA was provided by Mr. Noel Keenan and Ms. Catriona Kerin addressing the following:

- The parent/guardian voice of ETB Schools
- Overview of the ETBsNPA
- Overview of the composition of National Parents Council Post Primary (NPCPP)
- Breakdown of NPCPP Board Membership
- ETBI – 16 ETB Parent Forums
- Governance of National Parents Council Post Primary (NPCpp)
- Proposed new National Parents Council
- ETBsNPA's current standing
- Affiliations
- Support from Kerry ETB
- ETBsNPA future aspirations
- Proposal to change the ETBsNPA name

	<p>An Cathaoirleach thanked Mr. Noel Keenan and Ms. Catriona Kerin for their comprehensive presentation and Board Members expressed their full support for the ETBsNPA.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Jim Finucane</b></p> <p>An Cathaoirleach advised that he would raise this matter at the next ETBI Board Meeting.</p>
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04/2021/6	<b>GOVERNANCE RIALACHAS</b>
6.1	<p><b>Risk Management</b> The Director of OS&amp;D, Ms. Maria Brennan provided an update on Risk Management and advised the following:</p> <p><b>Risk Management Framework</b></p> <ul style="list-style-type: none"> <li>➤ Implementation of the Risk Management Framework is ongoing in line with the Code of Practice for the Governance of ETBs (CL0002/2019).</li> <li>➤ Terms of reference for the establishment of a risk and compliance meeting forum were noted by the Board. The establishment of this forum is to support the effective review of the risk registers and controls across the scheme in line with the Risk Management Framework.</li> <li>➤ The Board was advised that organisational transition to the revised Risk Register template is now complete save for one Post Primary School.</li> <li>➤ The next Institute of Public Administration (IPA) Governance Forum session, on May 13<sup>th</sup> 2021, will explore “The Board as a Team – Characteristics and Effectiveness” (session 7/18).</li> </ul> <p>The Director of OS&amp;D, in her capacity as Chief Risk Officer (CRO), addressed Risk 6 and 7 on the Corporate Risk Register. Board Members were invited to comment on the effectiveness of the controls identified by the Executive for this risk.</p> <p>This update was noted by the Board.</p>
6.2	<p><b>Minutes of School Boards of Management (BOM) Meetings</b> There were no School BOM Meeting minutes for approval at this meeting.</p>

6.3	<p><b>Minutes of FET Governance Board Meetings</b> There were no FET Governance Board Meeting minutes for approval at this meeting.</p>												
6.4	<p><b>Minutes of the Youth Work Committee</b> There were no Youth Work Committee Meeting minutes for approval at this meeting.</p>												
6.5	<p><b>Minutes of Partnership School BOM Meetings</b> There were no Partnership School BOM minutes for noting at this meeting.</p>												
6.6	<p><b>Kerry ETB Policies for Noting</b> The Terms of Reference Risk and Compliance Meeting Forum were circulated prior to the meeting with the Agenda and presented to the Board for noting by the Director of OS&amp;D, Ms. Maria Brennan.</p> <p>The Board noted these terms of reference as presented by the Director of OS&amp;D.</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="464 1227 1501 1821"> <thead> <tr> <th data-bbox="464 1227 751 1290">Activity</th> <th data-bbox="751 1227 1501 1290">Update</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 1290 751 1413"><b>Central Safety Policies</b></td> <td data-bbox="751 1290 1501 1413">➤ School/Centre safety statement template updated in line with Corporate safety statement and will be issued to all schools and centres by end of month.</td> </tr> <tr> <td data-bbox="464 1413 751 1559"><b>COVID-19 Measures</b></td> <td data-bbox="751 1413 1501 1559">           ➤ Support to schools and centres provided where COVID risk assessments are required for specific activities.            ➤ Review of COVID risk assessments is taking place for FET centres prior to reopening.         </td> </tr> <tr> <td data-bbox="464 1559 751 1648"><b>Risk Assessment Program</b></td> <td data-bbox="751 1559 1501 1648">➤ Review of risk assessments progressing online by meeting with schools and centres via MS Teams.</td> </tr> <tr> <td data-bbox="464 1648 751 1738"><b>Safety Committee</b></td> <td data-bbox="751 1648 1501 1738">➤ Meeting took place on 24<sup>th</sup> March 2021, next meeting is in May 2021.</td> </tr> <tr> <td data-bbox="464 1738 751 1821"><b>Training Programme</b></td> <td data-bbox="751 1738 1501 1821">➤ One to One safety training and ergonomic assessments completed for remote working as requested.</td> </tr> </tbody> </table> <p>This update was noted by the Board.</p>	Activity	Update	<b>Central Safety Policies</b>	➤ School/Centre safety statement template updated in line with Corporate safety statement and will be issued to all schools and centres by end of month.	<b>COVID-19 Measures</b>	➤ Support to schools and centres provided where COVID risk assessments are required for specific activities. ➤ Review of COVID risk assessments is taking place for FET centres prior to reopening.	<b>Risk Assessment Program</b>	➤ Review of risk assessments progressing online by meeting with schools and centres via MS Teams.	<b>Safety Committee</b>	➤ Meeting took place on 24 <sup>th</sup> March 2021, next meeting is in May 2021.	<b>Training Programme</b>	➤ One to One safety training and ergonomic assessments completed for remote working as requested.
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6.8	<p><b>Sustainability Update</b></p> <p>The Head of CCT, Ms. Aileen O'Connor provided an update addressing progress to date in terms of implementing the Sustainability Strategy 2020-22. A meeting of the Sustainability Implementation Group was held on April 21<sup>st</sup> 2021 and ongoing progress will be recorded through the implementation report. It was noted an article will also be included in the ETBs Annual newsletter.</p> <p>The Board welcomed the progress being made in addressing sustainability matters.</p>														
6.9	<p><b>Kerry ETB Committees under Section 44 of the ETB Act 2013 - Appointments and Vacancies</b></p> <p>The following Section 44/Board of Management (BOM) Appointments were made by the Board:</p> <table border="1" data-bbox="630 873 1342 992"> <tr> <td>Board Member Vacancies</td> <td>Nominee</td> </tr> <tr> <td>Coláiste na Ríochta</td> <td>Celia O'Shea</td> </tr> </table> <p style="text-align: center;"><b>Proposed: Mr. Noel Keenan</b> <b>Seconded: Cllr. Jim Finucane</b></p> <table border="1" data-bbox="486 1149 1485 1294"> <thead> <tr> <th>Vacancies</th> <th>Nominee</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>Youth Work Committee</td> <td>Liz O'Donnell (replacing Helena Switzer)</td> <td>Statutory Sector Nominee</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Cllr. Terry O'Brien</b></p> <p>At the March 30<sup>th</sup> 2021 Board Meeting, it was recorded that Margaret Thornton was appointed as a Learner Nominee for the Kerry College Governance Board, this should have been recorded as a Staff Nominee. The correction of the appointment record was approved by the Board.</p> <p style="text-align: center;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Cllr. Jim Finucane</b></p> <p>The Board members were advised of the outstanding Section 44 Committee vacancies, as follows:</p> <table border="1" data-bbox="614 1865 1358 1995"> <thead> <tr> <th>Vacancies</th> <th>Nominee Category</th> </tr> </thead> <tbody> <tr> <td>Kerry College</td> <td>Learner Nominee</td> </tr> </tbody> </table>	Board Member Vacancies	Nominee	Coláiste na Ríochta	Celia O'Shea	Vacancies	Nominee	Category	Youth Work Committee	Liz O'Donnell (replacing Helena Switzer)	Statutory Sector Nominee	Vacancies	Nominee Category	Kerry College	Learner Nominee
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	Business Industry Nominee				
Youthreach BOM	Parent/Guardian Nominee (male)				
<b>6.10</b>	<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>➤ A Board meeting is scheduled for May 11<sup>th</sup> 2021 at 4.15 pm to address the self-assessment evaluation process</li> <li>➤ The Institute of Public Administration (IPA will provide advice to support An Cathaoirleach in leading this discussion, as is the provision set out in CL0002/2019.</li> </ul> <p>In addition, members were advised that letters will be prepared to issue to all members setting out their 2020 Board meeting attendance records. Records of attendance must be published in the Annual Report.</p> <p>The Board noted this update.</p>				
<b>6.11</b>	<p><b>Internal Audit Report - Kerry ETB Youth Services</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <ul style="list-style-type: none"> <li>➤ The Internal Audit Report for Kerry ETB Youth Services was received from the Internal Audit Unit for ETBs (IAUETBs) on March 31<sup>st</sup> 2021.</li> <li>➤ Following review by the Senior Executive, the Report will be assessed at the next meeting of the Audit and Risk Committee.</li> </ul> <p>The Board noted this update.</p>				
<b>6.12</b>	<p><b>Requests for letters of support for funding applications by third party organisations</b></p> <p>The CEO advised that the ETB occasionally receives requests from various groups, for the provision of letters of support, to accompany applications for public funding.</p> <p>The Director of OS&amp;D advised, that Kerry ETB is required to confirm to the Comptroller and Auditor General (C&amp;AG) in the annual Letter of Representation that no guarantees or letters of comfort were issued by Kerry ETB, in the preceding year. In order to comply with this requirement, it is necessary to formally record, that it is not appropriate for Kerry ETB to issue letters committing financial support to third parties, in support of project funding applications or to issue letters of comfort.</p>				

	In addressing this matter, it was agreed that general letters of support can be issued on behalf of the ETB, however these letters cannot make any commitment in relation to any resources or funding (including 'in kind' support).
<b>6.13</b>	<p><b>Engagement of third party audit firm for the completion of an audit – DPER CL: 13/2014</b></p> <p>The Director of OS&amp;D advised that the ETB issued a request for quotations on April 13<sup>th</sup> 2021 for the completion of an Audit of a Third Party Funded Company. The timeline for submission of quotations was 12 noon April 26<sup>th</sup> 2021. Following review of the submissions an Audit Company will be appointed by end of week, April 30<sup>th</sup> 2021. This Audit Company following appointment will commence the Audit as per agreed terms of reference.</p> <p>The Board noted this update.</p>

<b>09/2020/7</b>	<b>CEO's REPORTS &amp; QUESTIONS ON CEO's REPORTS / TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH &amp; CEISTEANNA ORTHU</b>
<b>7.1</b>	<p><b>Finance Report</b></p> <p>The Finance Report up to 31<sup>st</sup> March 2021, as circulated with the Meeting Agenda, was presented by the Finance Officer, Mr. Tommy Conroy.</p> <p>The Report as presented was noted by the Board.</p> <p><b>Community National School Legal Fees</b></p> <p>The Finance Officer, Mr. Tommy Conroy addressed as follows:</p> <ul style="list-style-type: none"> <li>➤ Leases for An Ghleanna and Tahilla CNS have now been finalised and agreed with the Diocese.</li> <li>➤ The Diocese have indicated that their legal cost for the transfer are €3,751.50 per school – total €7,503, which they required the ETB to pay.</li> </ul> <p>Following discussions, it was agreed that the Finance Officer seek a reduction in the legal fees as presented.</p> <p>The Board noted this update.</p>
<b>7.2</b>	<p><b>Buildings Report</b></p> <p>The Buildings Report, as circulated with the meeting Agenda, was noted by the Board and addressed projects in the following locations:</p> <ul style="list-style-type: none"> <li>➤ Killorglin Community College</li> <li>➤ Anaerobic Digestion Facility Causeway</li> </ul>

- Waterville Men's Shed
- Two Mile Community National School Pre-School
- Causeway Land Swap
- Causeway Shed on School Grounds
- Tender for Project Management Services
- Knocknagoshel National School
- Killarney Community College
- Killorglin Community College
- Coláiste Gleann Lí
- Coláiste na Sceilge
- Castleisland Community College
- Scoil an Ghleanna
- St. Oliver's National School, Killarney
- Kerry College Clash Campus Car Park
- An Tóchar Further Education Centre
- Tech Amergin Further Education Centre
- Kenmare Further Education Centre
- O'Connell Further Education Centre

The Building Officer provided the following project update re Causeway Comprehensive School – Extension:

- Works are at an advanced stage for Stage 1 and the Design Team Lead has advised that the Stage 1 Report will be issued by close of business today, April, 27<sup>th</sup> 2021, for submission to the DoE.
- The Stage 1 Report will include updated site plans based on the approval to proceed with the proposed land swap.
- Platinum Engineering have completed remedial works to the school boilers over Easter Break.
- Kerry ETB CCT Department continues to engage with the DoE in relation to Causeway Comprehensive School's need for 2 No Prefabs as an interim solution to accommodate needs presenting for September 2021 until the sanctioned school extension can be constructed.

### **Land & Leases**

#### **Community National School Leases**

In addressing this matter members were advised, Kerry ETB in September 2019 became patron of Tahilla Community National School & Scoil an Ghleanna Pobail Scoil Náisiúnta. During final lease negotiations in September 2019 a number of issues arose re terms of the lease. Kerry ETB sought advice from the DoE re this matter and to date this has not been received.

Representatives from Kerry ETB met with the Diocese of Kerry on November 12<sup>th</sup> 2020 to address the following outstanding issues:

- Duration of Lease
- Rent Payable
- Funds within school accounts at time of transfer

➤ Kerry ETB have engaged with their legal advisors for advice on same

Director of SYM advised that following the conclusion of these discussions agreement has been reached with the Diocese re these leases.

Board Approval was sought for the following lease terms for **Scoil an Ghleanna Pobail Scoil Náisiúnta**:

- Term: 24 Years from (1<sup>st</sup> September 2019 – 31<sup>st</sup> August 2043)
- Rental: €2,000 per annum

The lease was approved by the Board as per the terms presented.

**Proposed: Cllr. Johnnie Wall**  
**Seconded: Cllr. Marie Moloney**

It was noted that execution of this lease is subject to approval by the Department of Education.

Board Approval is being sought for the following lease terms for **Tahilla Community National School**:

- Term: 24 Years from (1<sup>st</sup> September 2019 – 31<sup>st</sup> August 2043)
- Rental: €4,000 per annum

The lease was approved by the Board as per the terms presented.

**Proposed: Cllr. Jim Finucane**  
**Seconded: Cllr. Aoife Thornton**

It was noted that execution of this lease is subject to approval by the Department of Education.

#### **License Agreement for Approval**

Board approval is being sought for the proposed Licence Agreement between Tralee Regional Sports & Leisure Company Limited by Guarantee and Kerry College Clash Campus as per the following terms:

- Term: 5 Years – with option to renew (September 1<sup>st</sup> 2021 to August 31<sup>st</sup> 2026)
- Licence Fee: €10,400 per annum (€200 per week – 52 weeks)
- Area: Two Ball Courts
- Commencement Date: September 1<sup>st</sup> 2021 (provisional)

This proposed Licence Agreement will address the needs for the provision of full and part time Gym Instruction facility for Kerry College Clash Campus. Currently the College has to rent private facilities. Kerry College will

undertake a minor fit-out to meet needs of the College and specific course requirements.

The Board approved this licence agreement as per the terms presented.

**Proposed: Ms. Joan McCrohan**

**Seconded: Mr. Noel Keenan**

The Board was advised by the Buildings Officer that at October 1<sup>st</sup> 2019 ETB Board Meeting, the matter re a Licence Agreement for Kerry College and Tralee Regional Sports and Leisure Company Limited by Guarantee was addressed and approved. This licence agreement did not proceed due to the onset of the Covid-19 pandemic, rendering said licence agreement null and void.

### **Lease Approvals**

#### **Collis Sandes House, Tralee**

Further to the decision taken at the February 23<sup>rd</sup> 2021 ETB Board meeting, the Board approved the extension of the lease at Collis Sandes House Tralee under the following terms:

- Rental: €110,000 per annum
- Term: 1 year
- Dates: July 31<sup>st</sup> 2021 to July 30<sup>th</sup> 2022

Kerry ETB on April 7<sup>th</sup> 2021 **received DoE approval** to proceed with the renewal of the lease at Collis Sandes House, Tralee for Gaelcholáiste Chiarraí under the above terms

MRW Solicitors on behalf of Kerry ETB on April 8<sup>th</sup> 2021 issued notice to the landlord's solicitors of Kerry ETB intention renew the lease for a further year.

The Board were advised that the landlord has formally accepted this renewal.

#### **Waterville Men's Shed**

On April 8<sup>th</sup> 2021 Kerry ETB received consent from the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media for the grant of the lease to Waterville Men's Shed. This consent was required on foot of a deed of covenant between Kerry ETB and Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media.

In terms of finalizing this lease, communications are ongoing with the DoE.

Cllr. Maura Healy-Rae requested an update on the rectification of the title of the Raheen Old Technical School, Annaghmore, Headford, Killarney. The Buildings Officer advised that as per his circulated report, that Kerry ETB

	<p>were awaiting for final approval of same from the DoE. A further email had issued to the DoE on March 23<sup>rd</sup> 2021 re the outstanding requests and the Board were advised that Kerry ETB hoped to have an update at the next full meeting of the Board.</p> <p><b>Awaiting DoE Sanction</b> The Buildings Officer noted that Kerry ETB awaits sanction from the DoE Property Management Section in respect of the following:</p> <ol style="list-style-type: none"> <li>1. The proposed lease between Kerry ETB &amp; Waterville Men's Shed at Tech Amergin Further Education and Training Centre, Waterville.</li> <li>2. To finalize the proposed lease between Kerry ETB and Killorglin Sports and Leisure Company Limited by Guarantee. The lease with Killorglin Sports and Leisure Company Limited by Guarantee is for a term of 63 years from December 1<sup>st</sup>, 2019 (the remaining term of the original 99-year lease, dated March 1<sup>st</sup>, 1983).</li> <li>3. To finalize the rectification of title of Raheen Old Technical School, Annaghmore, Headford, Killarney, Co. Kerry.</li> </ol> <p><b>Awaiting Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) Sanction</b> The Board was advised, that we are waiting on sanction from DFHERIS in respect of the following lease approval applications:</p> <ul style="list-style-type: none"> <li>➤ Duchas House, Edward Street, Tralee.</li> <li>➤ Tralee Bay Sailing Club, Fenit.</li> <li>➤ An application was submitted for these leases on April 19<sup>th</sup> 2021.</li> </ul> <p>The Board noted these updates.</p>
7.3	<p><b>Chief Executive Officer's Report</b> 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>➤ Buildings Acquisition, Listowel and Tralee</li> <li>➤ Kerry ETB Head Office COVID-19 Update</li> <li>➤ Kerry ETB COVID-19 Arrangements</li> <li>➤ Kerry Diocesan Youth Service, Mediation Matters</li> <li>➤ Tralee Community Training Centre CLG</li> <li>➤ Tralee Regional Sports and Leisure CLG <ul style="list-style-type: none"> <li>➤ Tralee Parnell's Hurling Club Proposal</li> </ul> </li> <li>➤ Kerry ETB and MTU South Campus Acquisition</li> </ul>
7.4	<p><b>Schools, Youth &amp; Music Report – Director of SYM</b> The SYM 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>➤ Changes to Post Primary School Management</li> </ul>

	<ul style="list-style-type: none"> <li>➤ School Updates</li> <li>➤ Kerry ETB Student Forum - 24<sup>th</sup> March 2021</li> <li>➤ Mentimeter Feedback re COVID from Student Forum Members</li> <li>➤ Local Creative Youth Project</li> <li>➤ Music Generation Kerry</li> </ul>
7.5	<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>➤ FET COVID Incident Reports 2021</li> <li>➤ Return to Onsite Delivery (Practical)</li> <li>➤ Return to Onsite Delivery (Apprenticeship)</li> <li>➤ Return to Onsite Activity Courses</li> <li>➤ COVID-19 Stakeholders Communication</li> </ul> <p>The Director of FET advised that Kerry ETB and Cork ETB have been requested to work as pilot locations for Central Applications Office (CAO) applications in 2021/22 in respect of addressing the possible extension of the CAO to include FET course provision. A preliminary meeting had taken place. Further updates will be provided as available. This development was welcomed by the Board.</p> <p><b>Tralee Community Training Centre Company Limited by Guarantee (CTC)</b> Addressed under <b>6.13</b> above.</p>
7.6	<p><b>Organisation Support and Development Report – Director of OS&amp;D</b></p> <p>As per the <b>Governance Section 6.0</b> of the Minutes.</p> <p>The Board noted this update.</p>
7.7	<p><b>Members Business</b></p> <p><b>All Irish Secondary Education – Killarney</b></p> <p>An Cathaoirleach referenced correspondence received from Mr. Zaid Kassoob addressing the absence of an all-Irish Language option for post primary students in Killarney as a progression from Gaelscoil Faithleann.</p> <p>The Director of SYM advised that a meeting with parents and Killarney Community College was planned for Thursday April 29<sup>th</sup> 2021 and an update would be provided at the next meeting.</p>

09/2020/8	CORRESPONDENCE COMHFHREAGRAS
8.1	<b>DoE Correspondence:</b> Noted as listed
8.2	<b>DoE Circular Letters:</b> Noted as listed
8.3	<b>DoE Press Releases:</b> Noted as listed
8.4	<b>Department of Further and Higher Education, Research, Innovation and Science Correspondence:</b> Noted as listed
8.5	<b>Department of Further and Higher Education, Research, Innovation and Science Press Releases:</b> Noted as listed
8.6	<b>Department of Children, Equality, Disability, Integration and Youth:</b> Noted as listed
8.7	<b>ETBI Correspondence:</b> Noted as listed
8.8	<b>SOLAS Correspondence:</b> Noted as listed
8.9	<b>Other Correspondence:</b> Noted as listed.

04/2021/9	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
	Board Member Mr. Zaid Kassoob raised a query regarding the admissions requirement of a “B1” in English for some FET courses. Following a brief discussion, it was agreed that this matter would be addressed at the next full meeting of the Board by the Director of FET.

	<p>The CEO advised that an ETB Board meeting is scheduled for May 11<sup>th</sup> 2021 to address the Board's annual "self-assessment" as per Section 6.10.</p> <p>The next regular meeting of the ETB Board is scheduled for May 25<sup>th</sup> 2021.</p> <p><b>Next Kerry ETB Board Meeting:</b></p> <div data-bbox="470 477 1497 672" style="background-color: black; color: white; text-align: center; padding: 10px;"><p><b>Tuesday May 11<sup>th</sup> 2021</b> <b>Via Videoconference</b> <b>4.15pm</b></p></div>
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Signed/Sínithe: \_\_\_\_\_ Date/Dáta: \_\_\_\_\_