

**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 March 30th 2021.

**In Attendance:**

Cllr. Jim Finucane  
Cllr. Michael Cahill  
Cllr. Fionnán Fitzgerald  
Cllr. Maura Healy-Rae  
Cllr. Norma Moriarty  
Mr. Joe Brennan  
Ms. Maria O’Gorman

Cllr. Terry O’Brien  
Cllr. Johnnie Wall  
Cllr. Deirdre Ferris  
Cllr. Marie Moloney  
Cllr. Niall O’Callaghan  
Mr. Noel Keenan  
Ms. Joan McCrohan

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, Mr. Pádraig 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 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 4.5 and 7.5.**

03/2021/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	<p><b>Apologies/Leithscéalta:</b></p> <ul style="list-style-type: none"> <li>➤ Mr. Tim Daly</li> </ul>
1.2	<p><b>Condolences/Comhbhrón:</b></p> <p>An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> <li>➤ Mr. Barney O’Reilly, retired CEO of Kerry Education Services - VEC in Kerry, on the death of his Brother, Mr. Edward O’Reilly.</li> <li>➤ Mr. Noel Keenan, Board Member, on the death of his Father-in-Law, Mr. Cyril McEnery.</li> <li>➤ Mr. Pádraig O Donnabháin, Chairperson of the three Kerry ETB Community National School’s Boards of Management, on the death of his son, Mr. Donal O’Donovan.</li> <li>➤ Mr. Danny Kerins, Data Protection Officer, on the death of his Uncle, Mr. John Kerins.</li> <li>➤ Mr. Seamus Whitty, Youth Development Officer, on the death of his Father-in-Law, Mr. Khun Uthan Kumpha.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Ms. Anne Marie Lane, Head Office, on the death of her Mother-in-Law, Ms. Noreen Griffin.</li> <li>➤ Ms. Susan Curran, Coláiste na Sceilge, on the death of her Partner, Mr. Camillus O'Meara.</li> <li>➤ Ms. Claire McGrath, Coláiste na Ríochta, on the death of her Uncle, Mr. Robert Nolan.</li> </ul>
<b>03/2021/2</b>	<b>CONGRATULATIONS COMHGHAIRDEAS</b>
<b>2.1</b>	<p><b>Congratulations/Comhghairdeas:</b> Congratulations:</p> <ul style="list-style-type: none"> <li>➤ To Castleisland Community College student, Shauna O'Keeffe who has been shortlisted as a finalist in the National Sophia Physics Competition.</li> </ul>
<b>03/2021/3</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 February 23<sup>rd</sup> 2021 were adopted and signed.</p> <p style="text-align: center;"><b>Proposed: Cllr. Niall O'Callaghan Seconded: Cllr. Marie Moloney</b></p>
<b>03/2021/4</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> An update was provided by the Buildings Officer, Mr. Pdraig O'Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ As advised at the ETB Board Meeting, February 23<sup>rd</sup> 2021, Kerry ETB received, on February 10<sup>th</sup> 2021, the supplementary Tender Report from the Design Team Lead, Oppermann Associates including a schedule of the adjustments to the Notional Tender Sum for Reserved Specialists.</li> <li>➤ The Tender Report had been compiled following completion of the Reserved Specialist Tender process on January 29<sup>th</sup> 2021 and conclusion of the standstill period for the Main Contractor on January 31<sup>st</sup> 2021.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Kerry ETB, in a letter dated February 12<sup>th</sup> 2021, to the Department of Education (DoE) Principal Officer, sought approval from the DoE to issue Letters of Intent and Unsuccessful Letters to the Reserved Specialist tenderers. This approval was received on February 25<sup>th</sup> 2021.</li> <li>➤ Oppermann Associates on behalf of Kerry ETB issued Letters of Intent to the following reserved specialists:       <ol style="list-style-type: none"> <li>1. Electrical Reserved Specialist - David Doyle Electrical Ltd – Tralee</li> <li>2. Mechanical Reserved Specialist- Architectural Steel &amp; Mechanical Services Ltd – Cork</li> </ol> </li> <li>➤ In line with the contract appointment process, a pre-contract meeting of all relevant parties (Main Contractor, Reserved Specialists, Design Team and Kerry ETB) was held on February 25<sup>th</sup> 2021.</li> <li>➤ On February 25<sup>th</sup> 2021 letters and confirmation were exchanged between Vision Contracting Ltd and reserved specialists confirming intent to contract together for the completion of the project.</li> <li>➤ On March 8<sup>th</sup> 2021 Kerry ETB and Vision Contracting Ltd agreed to the appointment of Mr. John Hughes, Rogerson Redden Associates, 78 Haddington Road, Dublin 4 as the appointed Standing Conciliator for the duration of the project, in line with the Dispute Management Procedure for the contract.</li> <li>➤ Kerry ETB, on March 8<sup>th</sup> 2021, finalised the appointed nominees to the Project Board in line with the Dispute Management Procedure for the contract. The Contract in question is the PwCF1 - Public Works Contract for Building Works Designed by The Employer. Kerry ETB's nominees are as follows:       <ol style="list-style-type: none"> <li>1. Mr. Tommy Conroy, Head of Finance, Kerry ETB</li> <li>2. Mr. Nigel Crowe, Director, Kane Crowe Kavanagh QS, Tralee</li> </ol> </li> <li>➤ Kerry ETB, on March 9<sup>th</sup> 2021, issued the Stage 3 Final Report to the DoE following completion of the pre-contract meeting and standstill period for Reserved Specialists. Kerry ETB requested final approval from the DoE to issue the Letter of Acceptance to Vision Contracting Ltd.</li> <li>➤ Kerry ETB, on March 2<sup>nd</sup> 2021, engaged with Irish Public Bodies (insurers) to undertake an assessment of the suitability of the insurances as set out by Vision Contracting Ltd, Irish Public Bodies, on March 12<sup>th</sup> 2021, returned a report on the contractor's insurances which in turn was forwarded to the DoE.</li> <li>➤ Vision Contracting Ltd have commenced site set up and undertook a pre commencement archaeological trenching on the undisturbed part of the development site. The archaeological trenching was undertaken in conjunction with Alison McQueen &amp; Associates Archeologists.</li> <li>➤ Following additional queries raised by Kerry ETB and the DoE, Kerry ETB received formal approval on 22<sup>nd</sup> March 2021 to issue the Letter of Acceptance to Vision Contracting Ltd.</li> <li>➤ Oppermann Associates on behalf of Kerry ETB issued the Letter of Acceptance to Vision Contracting Ltd on March 23<sup>rd</sup> 2021.</li> </ul>
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	<ul style="list-style-type: none"> <li>➤ The contract start date is defined as 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.</li> <li>➤ Kerry ETB are engaging with the Minister for Education in relation to scheduling a date for “sod turning” on site. The date will be dependent on the Minister’s Diary Commitments, Public Health Advice and COVID-19 restrictions etc.</li> </ul> <p>An Cathaoirleach on behalf of the Board members expressed the appreciation of the members for the work completed over recent years in progressing the project to construction on site.</p> <p>Updates on progress will be provided at each Board meeting.</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, on February 24<sup>th</sup> 2021, received an email from Brian O’Connell, School Capital Appraisal Section, DoE in relation to ongoing developments of 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 the Gaelscoil Lios Tuathail.</li> <li>➤ Members of the Kerry ETB Corporate, Capital and Technology (CCT) Department met with the Coláiste na Ríochta Principal and Deputy Principal in order to prepare the submission to the DoE. Once a full appraisal of the school’s needs is completed it is intended the submission will be issued to the DoE on or before April 9<sup>th</sup> 2021.</li> <li>➤ Kerry ETB, on 22<sup>nd</sup> February 2021, received confirmation from the DoE of additional funding of c. €20,000 for the installation of prefabs on the school site. This additional funding was required to provide for essential alterations to the prefabs to ensure the granting of Fire Safety Certificates. It is anticipated that 2 no. Prefab Units will be installed over the Easter Holidays.</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. These works will represent an investment of c. €180,000 for the school.</li> <li>➤ In addition, matters re the proposed purchase of a Building in Listowel (Unit 1 Listowel Business Development Centre, Listowel Business Park, Listowel, Co. Kerry, V31 PC79) are addressed under Section 4.6 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. Padraig O’Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Design Team Lead (Oppermann Associates), on behalf of Kerry ETB, published the tender for the appointment of Main Contractor for the construction of the new school at Listellick Tralee on March 2<sup>nd</sup> 2021.</li> <li>➤ Following a request for extension of the deadline, by tenderers, the deadline for tender returns is now Tuesday April 6<sup>th</sup> 2021.</li> <li>➤ Following receipt and evaluation of these tenders the Oppermann Associates will prepare a Stage 3 Tender Report recommending the appointment of main contractor.</li> <li>➤ Kerry ETB following receipt of this tender report will request DoE approval to commence the appointment process.</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>➤ Letter issued to An Cathaoirleach Kerry ETB from Mr. Fergal Lynch, Secretary General, Department of Children, Equality, Disability, Integration and Youth (DCEDIY) on March 9<sup>th</sup> 2021 requesting a meeting with representatives of the Boards of KDYS and Kerry ETB.</li> <li>➤ The letter from the DCEDIY Secretary General, on March 9<sup>th</sup> 2021, was in response to letter, of February 9<sup>th</sup> 2021, from the CEO of Kerry ETB to Mr. Paul Fay, Principal Officer, DCEDIY.</li> <li>➤ Email issued to An Cathaoirleach Kerry ETB from Mr Damian McKeon, Assistant Principal Officer confirming a meeting for March 24<sup>th</sup> 2021, with Ms Bernie McNally, Assistant Secretary, and Mr Paul Fay, Principal Officer.</li> <li>➤ The virtual meeting took place on March 24<sup>th</sup> 2021. The meeting agenda addressed: introductions, discussion re: matters raised in letter from CEO dated 9 February 2021, next steps etc.</li> <li>➤ DCEDIY advised that they are to meet with KDYS Board reps on Friday March 26<sup>th</sup> 2021 with a further meeting to be arranged between DCEDIY and Kerry ETB at a later date.</li> </ul> <p>The Board noted this update.</p>
<p><b>4.5</b></p>	<p><b>Head Office Rent Review update</b>  Prior to commencing discussions on this item, in accordance with the provisions of Paragraph (10), Schedule 3 Education and Training Boards (ETB) Act 2013, An Cathaoirleach Cllr. Jim Finucane declared a conflict of interest and advised the Board, that in the course of his work as an estate</p>

	<p>agent, he was involved with the original lease of the building to Kerry ETB. Cllr. Finucane absented himself from the meeting for the full duration of the discussion, relating to the head office rent review, and did not partake in any deliberation in relation to the matter.</p> <p>In accordance with Paragraph 5(2) (b), Schedule 3 ETB Act 2013, the Leas Cathaoirleach, Cllr. Terry O'Brien presided for all of the deliberations and discussions in relation to this matter.</p> <p>The Finance Officer advised that he has been in engagement with Savills the Landlord's representative re the rent review and he provided a detailed update addressing existing passing rent, square footage leased, lease expiry date etc.</p> <p>As the ETB and the landlord's expectations re the future rent to be paid are at significant variance, Board approval was sought to enter into to Arbitration to address this matter as provided for in the lease. The Board following discussion approved the ETB to enter into arbitration to address this matter.</p> <p style="text-align: center;"><b>Proposed: Mr. Noel Keenan</b> <b>Seconded: Ms. Maria O'Gorman</b></p> <p>It was noted that the ETB (formerly Kerry Education Services – the VEC in Kerry) has been renting Head Office accommodation for many decades. The need to secure a permanent solution was stressed. In this regard the Board members were reminded of the proposal to Purchase the Munster Technology University (MTU) South Campus. The business case for same set out that the Head Office could be relocated to these buildings as part of this acquisition.</p> <p>A further update will be provided at the next meeting.</p> <p>Following conclusion of discussions, An Cathaoirleach re-joined the meeting and presided for the remainder of the meeting.</p>
4.6	<p><b>Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate and Unit 1, Listowel Business Development Centre Sale Updates</b></p> <p>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> <p>➤ As advised at the February 23<sup>rd</sup> 2021 Board meeting, Kerry ETB's Business Case (completed property acquisition templates for Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate and Unit 1, Listowel Business Development Centre) submissions were presented</p>

	<p>to the Board of SOLAS at their Board meeting on February 11<sup>th</sup> 2021. Feedback was very positive and SOLAS approved the proposal to purchase both buildings. Matters are now referred to the Department for next steps in the process.</p> <ul style="list-style-type: none"> <li>➤ On February 18<sup>th</sup> 2021 copy of an email was received from Mr Gerry Fitzmaurice, Shannon Commercial Properties (SCP), confirming Block F, Monavalley, Tralee had gone “sale agreed” to a third party.</li> <li>➤ Extracts from email: <ul style="list-style-type: none"> <li>➤ <i>“...As no final offer was received from KETB by 15<sup>th</sup> January as requested by the selling Agent he was instructed to proceed to “sale agreed” with the highest bid which was unconditional...”</i></li> <li>➤ <i>“...I also note that the initial bid received from KETB was subject to vacant possession which Shannon Commercial Properties cannot convey as the existing tenants have legal entitlements to a lease renewal. For this reason, the property was not offered for sale with the benefit of vacant possession...”</i></li> </ul> </li> <li>➤ On February 25<sup>th</sup> 2021 an email issued to SOLAS Executive Director, from the CEO advising of the update received from SCP re these matters.</li> <li>➤ Later on February 25<sup>th</sup> 2021 an email received from SOLAS Executive Director, attaching a letter from the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS). This letter provided the ETB with approval to proceed to place bids for the two properties (Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate and Unit 1, Listowel Business Development Centre) and setting out the parameters to be followed.</li> <li>➤ On February 26<sup>th</sup> 2021, Kerry ETB Solicitors, Murphy Ramsay Walsh (MRW), submitted formal offers for the purchase of the Tralee property for the sum of €760,000.</li> </ul> <p>It is the ETB’s understanding that SCP intend to close the sale as per the Sale Agreed status to a third party.</p> <p>Board members noted this update and expressed disappointment that the ETB were not successful in acquiring this property.</p> <p><b>Unit 1, Listowel Business Centre, Listowel</b></p> <ul style="list-style-type: none"> <li>➤ Re the proposed acquisition of the building, on February 22<sup>nd</sup> 2021 an email, received from the DoE via SOLAS, concerning vacant possession and the zoning designation of the Listowel Building. A response returned by Mr Owen O’ Donnell, Director of FET, on February 23<sup>rd</sup> 2021.</li> <li>➤ On February 24<sup>th</sup> 2021, Kerry County Council provided clarification re zoning designation and this was forwarded to SOLAS.</li> <li>➤ As referenced above on February 25<sup>th</sup> 2021 an email received from SOLAS Executive Director, attaching a letter from the Department of Further and Higher Education, Research, Innovation and Science</li> </ul>
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	<p>(DFHERIS). This letter provided the ETB with approval to proceed to place bids for the two properties (Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate and Unit 1, Listowel Business Development Centre) and setting out the parameters to be followed.</p> <p>➤ February 26<sup>th</sup> 2021, Kerry ETB Solicitors, Murphy Ramsay Walsh (MRW), submitted formal offers for the purchase of the Listowel property for the sum €470,000.</p> <p>Following developments re the proposed acquisition of Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate as detailed above, a letter was issued dated March 15<sup>th</sup> 2021, from MRW Solicitors to Cushman and Wakefield confirming the offer of €470,000 for the building – <i>standalone offer</i>. This offer was subject to contract, to title in the usual manner and to vacant possession.</p> <p>It was noted that the Listowel building currently has some tenants MRW solicitors are currently clarifying the full extent of same.</p> <p>Negotiations remain ongoing with SCP.</p> <p>The Board welcomed this update.</p>
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03/2021/5	<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, the reopening of schools/colleges/centres following the latest government announcements, etc.</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> <p><b>Music Generation Kerry Presentation by Music Development Officer, Ms. Deirdre Johnson</b>  An update was provided by the Music Development Officer, Ms. Deirdre Johnson Music Generation Kerry since it commenced in September 2019, Ms. Johnson highlighted the ongoing and upcoming projects and goals.</p> <p>An Cathaoirleach thanked Ms. Johnson for her comprehensive presentation and Board Members expressed their appreciation for the opportunities being provided by Music Generation Kerry to students across the county.</p>

03/2021/6	<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>➤ Plans are progressing to establish a dedicated “Risk and Compliance” meeting forum. This forum will meet specifically focused on reviewing the risk management framework, high-level organisational risks and the effectiveness of the organisation’s controls. Meetings will take place quarterly.</li> <li>➤ The Board was advised that organisational transition to the revised Risk Register template is almost complete.</li> <li>➤ The Executive are currently reviewing controls aligned to the C&amp;AG’s “Financial Governance and Reporting in ETBs” document published on March 16<sup>th</sup> 2021. A full action plan will be brought to the ETB Board for input and approval in Quarter 2, 2021.</li> <li>➤ The next IPA Governance Forum session, April 15<sup>th</sup> 2021, will explore “Culture and the Role of the Board and Senior Team” (session 6/18). The importance of Board members and management in ensuring the presence of a <i>good governance culture</i> in Kerry ETB was emphasised. Members interested in attending were asked to confirm same to PTierney@kerryetb.ie.</li> </ul> <p>The Director of OS&amp;D, in her capacity as Chief Risk Officer (CRO), addressed Risk 5 on the Corporate Risk Register. Board Members were invited to comment on the effectiveness of the controls identified by the Executive for this risk and to make recommendations as relevant.</p> <p>This update was noted by the Board.</p>
6.2	<p><b>Minutes of School Boards of Management (BOM) Meetings</b> 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>Scoil an Ghleanna</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on September 30<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Tahilla CNS</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on November 19<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Killarney Community College</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on November 25<sup>th</sup> 2020</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>➤ <b>Killorglin Community College</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on May 27<sup>th</sup> 2020</li> <li>➤ Board of Management Meeting on August 19<sup>th</sup> 2020</li> <li>➤ Board of Management Meeting on September 31<sup>st</sup> 2020</li> <li>➤ Board of Management Meeting on November 24<sup>th</sup> 2020</li> </ul> </li> </ul> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Maura Healy Rae</b></p>
6.3	<p><b>Minutes of FET Governance Board Meetings</b> Minutes of the following Governance Board meeting were noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>Kerry College</b> <ul style="list-style-type: none"> <li>➤ Governance Board Meeting on December 10<sup>th</sup> 2020</li> </ul> </li> </ul> <p style="text-align: center;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Cllr. Terry O'Brien</b></p>
6.4	<p><b>Minutes of the Youth Work Committee</b> Minutes of the following Youth Work Committee meeting was noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>Youth Work</b> <ul style="list-style-type: none"> <li>➤ Committee Meeting on October 21<sup>st</sup> 2020</li> </ul> </li> </ul> <p style="text-align: center;"><b>Proposed: Mr. Noel Keenan</b> <b>Seconded: Cllr. Marie Moloney</b></p>
6.5	<p><b>Minutes of Section 45 Committees</b> Minutes of the following Section 45 Committee Meetings were noted by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>Finance Committee</b> <ul style="list-style-type: none"> <li>➤ Committee Meeting on December 8<sup>th</sup> 2020</li> <li>➤ Committee Meeting on February 17<sup>th</sup> 2021</li> </ul> </li> <li>➤ <b>Audit and Risk Committee</b> <ul style="list-style-type: none"> <li>➤ Committee Meeting on December 11<sup>th</sup> 2020</li> </ul> </li> </ul>
6.6	<p><b>Minutes of Partnership School BOM Meetings</b> There were no minutes for noting at this meeting.</p>

<p><b>6.7</b></p>	<p><b>Kerry ETB Policies for Approval</b>  The following policies were circulated prior to the meeting with the meeting agenda 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>➤ Corporate Health and Safety Statement - revised</li> <li>➤ Guidance to Schools/Centres on the use of Premises for Third Parties - 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: Cllr. Fionnán Fitzgerald</b>  <b>Seconded: Ms. Joan McCrohan</b></p>												
<p><b>6.8</b></p>	<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="464 981 1501 1816"> <thead> <tr> <th data-bbox="464 981 751 1043">Activity</th> <th data-bbox="751 981 1501 1043">Update</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 1043 751 1312"><b>Central Safety Policies</b></td> <td data-bbox="751 1043 1501 1312"> <ul style="list-style-type: none"> <li>➤ Annual review meeting held with Directorate – Progress in health and safety in 2020 outlined, 3-year plan for implementation of Safety Management System is progressing well and on target. All actions for high-risk items are being progressed.</li> <li>➤ Priorities for 2021 in both Directors of FET and SYM were agreed.</li> </ul> </td> </tr> <tr> <td data-bbox="464 1312 751 1473"><b>COVID-19 Measures</b></td> <td data-bbox="751 1312 1501 1473"> <ul style="list-style-type: none"> <li>➤ All risk assessments have been revised to take into account new guidance for practical subjects</li> <li>➤ Review of COVID risk assessments is currently taking place for FET centers prior to re-opening</li> </ul> </td> </tr> <tr> <td data-bbox="464 1473 751 1635"><b>Risk Assessment Program</b></td> <td data-bbox="751 1473 1501 1635"> <ul style="list-style-type: none"> <li>➤ Review of risk assessments progressing online by meeting with schools and centres via Teams.</li> <li>➤ Visits to schools and centres has commenced (where necessary) to update risk assessments</li> </ul> </td> </tr> <tr> <td data-bbox="464 1635 751 1697"><b>Safety Committee</b></td> <td data-bbox="751 1635 1501 1697"> <ul style="list-style-type: none"> <li>➤ Next meeting to take place on the 24<sup>th</sup> March 2021</li> </ul> </td> </tr> <tr> <td data-bbox="464 1697 751 1816"><b>Training Programme</b></td> <td data-bbox="751 1697 1501 1816"> <ul style="list-style-type: none"> <li>➤ Remote working ergonomic workshops taking place on MS Teams for FET staff and School Principals and Deputy Principals.</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>➤ Annual review meeting held with Directorate – Progress in health and safety in 2020 outlined, 3-year plan for implementation of Safety Management System is progressing well and on target. All actions for high-risk items are being progressed.</li> <li>➤ Priorities for 2021 in both Directors of FET and SYM were agreed.</li> </ul>	<b>COVID-19 Measures</b>	<ul style="list-style-type: none"> <li>➤ All risk assessments have been revised to take into account new guidance for practical subjects</li> <li>➤ Review of COVID risk assessments is currently taking place for FET centers prior to re-opening</li> </ul>	<b>Risk Assessment Program</b>	<ul style="list-style-type: none"> <li>➤ Review of risk assessments progressing online by meeting with schools and centres via Teams.</li> <li>➤ Visits to schools and centres has commenced (where necessary) to update risk assessments</li> </ul>	<b>Safety Committee</b>	<ul style="list-style-type: none"> <li>➤ Next meeting to take place on the 24<sup>th</sup> March 2021</li> </ul>	<b>Training Programme</b>	<ul style="list-style-type: none"> <li>➤ Remote working ergonomic workshops taking place on MS Teams for FET staff and School Principals and Deputy Principals.</li> </ul>
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6.9	<p><b>Sustainability Update</b> The Head of CCT Department, Ms. Aileen O'Connor provided an update addressing the following;</p> <p><b>Sustainability Strategy 2020-2022:</b></p> <ul style="list-style-type: none"> <li>➤ Work ongoing; focus is currently on short term goals outlined in the Strategy</li> <li>➤ Currently collecting baseline data in order to quantify success on a number of identified goals</li> </ul> <p><b>Communication:</b></p> <ul style="list-style-type: none"> <li>➤ Meeting between Kerry ETB and County Kerry Representatives of the SEAI was held on 23<sup>rd</sup> March</li> <li>➤ Meetings are ongoing with the Directorate and Principals/Centre Managers</li> <li>➤ Letters issued from Directors re the appointment of Sustainability Reps in each School and Centre</li> </ul> <p><b>Implementation Group:</b></p> <ul style="list-style-type: none"> <li>➤ Meeting took place, on the 4<sup>th</sup> March 2021.</li> </ul> <p>Given the importance for the organisation of addressing sustainability matters as per the Sustainability Strategy 2020-2022 the need for a full time Sustainability Officer was noted. The Board was supportive of the need to resource the implementation of the Strategy roll out.</p>													
6.10	<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 1323 1342 1442"> <tr> <td>Board Member Vacancies</td> <td>Nominee</td> </tr> <tr> <td>Coláiste na Ríochta</td> <td>Deferred</td> </tr> </table> <p>It was agreed that this vacancy would be addressed at the next Board meeting.</p> <table border="1" data-bbox="507 1597 1465 1832"> <thead> <tr> <th>Board Member Vacancies</th> <th>Nominee</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>Coláiste na Sceilge</td> <td>Breda Whittington (replacing Brid Moran)</td> <td>Parent Nominee</td> </tr> <tr> <td>Kerry College</td> <td>Margaret Thornton (Replacing Kerry McCarthy)</td> <td>Learner Nominee</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b> <b>Seconded: Cllr. Marie Moloney</b></p>	Board Member Vacancies	Nominee	Coláiste na Ríochta	Deferred	Board Member Vacancies	Nominee	Category	Coláiste na Sceilge	Breda Whittington (replacing Brid Moran)	Parent Nominee	Kerry College	Margaret Thornton (Replacing Kerry McCarthy)	Learner Nominee
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<p><b>6.11</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>➤ Correspondence issued to Board members on February 25<sup>th</sup> 2021 advising of a special meeting of the Board on <b>May 11<sup>th</sup> 2021 at 4.15 pm</b> to address the self-assessment evaluation process</li> <li>➤ Further to the responses from the questionnaires and the draft report, key areas that could be addressed are as follows: <ul style="list-style-type: none"> <li>➤ Role of the Board</li> <li>➤ Input from members re the internal control system review and the self-assessment review processes</li> <li>➤ Any gaps in skills that should be met</li> <li>➤ Board Schedule e.g. agenda, attendance etc.</li> </ul> </li> <li>➤ The Executive is seeking third party, independent advice to support An Cathaoirleach to lead this discussion, in line with the provisions set out in CL0002/2019</li> <li>➤ Correspondence will issue to Board Members on attendance rates following the Easter Break</li> </ul> <p>The Board noted this update.</p>						
<p><b>6.12</b></p>	<p><b>ETB Board Vacancies Staff Representative as per Section 37 of the ETB Act Update, Circular Letter 0079/2020</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <ul style="list-style-type: none"> <li>➤ Ballot papers have been posted to staff</li> <li>➤ Ballot papers to be returned by Thursday 8<sup>th</sup> April 2021</li> <li>➤ Counting will commence at 9.00am on Friday 9<sup>th</sup> April 2021</li> <li>➤ Matters will be finalised prior to the April 27<sup>th</sup> 2021 Board Meeting</li> </ul> <p>The Board noted this update.</p>						

6.13	<p><b>Comptroller and Auditor General Management Letter re Financial Statements 2019</b></p> <p>The Finance Officer, Mr. Tommy Conroy provided the following update:</p> <ul style="list-style-type: none"> <li>➤ Following the finalisation of the 2019 Audit of Kerry ETB's Financial Statements the Comptroller &amp; Auditor General's Office has issued the 2019 Management Letter.</li> <li>➤ A copy of the Management Letter was circulated with the meeting agenda for members' review.</li> <li>➤ The Management Letter highlights five risk areas with four noted as Medium Risk and one item noted as Low Risk.</li> <li>➤ There are no High Risk findings on the Management Letter.</li> </ul> <p>The Board welcomed this update and An Cathaoirleach thanked the Director of OS&amp;D, the Finance Officer and all the team involved in the 2019 Audit.</p>
6.14	<p><b>Report from the Audit and Risk Committee as per Section 45(3) of the ETB Act 2013 – Chairman of the Audit and Risk Committee – Mr. John O'Connor</b></p> <p>The Chairperson of the Audit and Risk Committee, Mr. John O'Connor joined the meeting and provided an update re the Summary Report compiled by the Audit and Risk Committee addressing the Annual Review of the System of Internal Control for 2020 as per Section 45(3) of the ETB Act 2013.</p> <p>Following this update and some discussion, An Cathaoirleach thanked Mr. O'Connor and the Members of the Audit and Risk Committee for the Report and for their ongoing work and support.</p>
6.15	<p><b>Report from the Finance Committee as per Section 45(3) of the ETB Act 2013 – Chairman of the Finance Committee – Mr. Brendan Tuohy</b></p> <p>The Chairperson of the Finance Committee, Mr. Brendan Tuohy joined the meeting and provided an update re the Report to the Board for Year 2020 as compiled by the Finance Committee as per Section 45(3) of the ETB Act 2013.</p> <p>Following this update and discussion, An Cathaoirleach thanked Mr. Tuohy and the Members of the Finance Committee for the Report and for their ongoing commitment and support.</p>
6.16	<p><b>Draft Financial Statements 2020, as per Section 51 of the ETB Act 2013 including Statement of Internal Controls – as circulated with Agenda – Finance Officer, Mr. Tommy Conroy</b></p> <ul style="list-style-type: none"> <li>➤ The Finance Officer Mr. Tommy Conroy set out for the Board members, as detailed in Section 51 of the Education and Training Board Act 2013 the ETB is required to submit its Draft Annual Financial Statements for 2020 to the DoE no later than 1<sup>st</sup> April 2021.</li> </ul>

	<p>➤ In line with Circular Letter 0002/2019 the Code of Practice for the Governance of ETBs the Draft Financial Statements were reviewed by the Finance Committee on 25<sup>th</sup> March 2021. Following this review, the Finance Committee have recommended that the Draft Financial Statements are adopted by the Kerry ETB Board and submitted for Audit to the Office of the Comptroller &amp; Auditor General.</p> <p style="text-align: center;"><b>Proposed: Cllr. Marie Moloney</b> <b>Seconded: Cllr. Fionnán Fitzgerald</b></p> <p>Following their approval by the Board the Financial Statements 2020 were signed by An Cathaoirleach and the CEO.</p>
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09/2020/7	<b>CEO's REPORTS &amp; QUESTIONS ON CEO's REPORTS / TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH &amp; CEISTEANNA ORTHU</b>
7.1	<p><b>Finance Report</b> The Finance Report up to 28<sup>th</sup> February 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>Proposed ICT Expenditure Start of Year Submission 2021 – for approval</b> The Head of CCT, Ms. Aileen O'Connor provided an update addressing the Department of Public Expenditure &amp; Reform (DPER) Circular Letter 0002/16: Arrangements for Digital and ICT-related Expenditure in the Civil and Public Service. Specifically, she addressed:</p> <ul style="list-style-type: none"> <li>➤ The planned current year ICT-related expenditure must be submitted each year in the format prescribed by DPER 'Start of Year Submission 2021' form.</li> <li>➤ 'Start of Year Submission 2021' - proposed annual ICT-related expenditure to be approved by the Board</li> </ul> <p>The Board formally approved the Proposed ICT Expenditure Start of Year Submission 2021.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Ms. Joan McCrohan</b></p> <p><b>IPB Insurance - IPB Retained Earnings Distribution and Members Commercial Dividend</b></p> <ul style="list-style-type: none"> <li>➤ The Finance Officer Mr. Tommy Conroy advised the Board members that IPB has made two Dividend Payments to Kerry ETB:</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Members Commercial Dividend: € 52,042 – received 19<sup>th</sup> March 2021 - This dividend is based on 40% of IPB’s 2019 Surplus, after Tax, apportioned, based on premiums paid in 2019, across all IPB Members.</li> <li>➤ Retained Earnings Distribution: €64,036 – received 24<sup>th</sup> March 2021 - The fourth of five planned payments from IPB Retained Earnings Distribution. Payments commenced in 2017.</li> </ul> <p>The Board welcomed this update.</p> <p><b>Publication of C&amp;AG Special Report on Financial Governance and Reporting in ETBs – as circulated by email on March 16<sup>th</sup>, 2021</b></p> <ul style="list-style-type: none"> <li>➤ The Finance Officer Mr. Tommy Conroy advised the Board members of the publication of a special C&amp;AG Report on Financial Governance and Reporting in ETBs which was laid before the Houses of the Oireachtas on 15<sup>th</sup> March 2021.</li> <li>➤ The report is the outcome of a review by the C&amp;AG of financial management in a sample of 5 ETBs, applying a framework developed for the assessment by public sector bodies of their financial management systems, referred to as the financial management maturity model (FMMM). This report on ETBs is the first C&amp;AG report of an examination conducted by it using this FMMM framework.</li> <li>➤ Copies of the Report were issued, by email, to the Chairperson of the Finance Committee and the Audit and Risk Committees</li> <li>➤ See <b>Section 6.1</b> above</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>➤ CAD Drawing Scheme</li> <li>➤ Killarney Community College</li> <li>➤ Killorglin Community College</li> <li>➤ Causeway Comprehensive School</li> <li>➤ Coláiste Gleann Lí</li> <li>➤ Coláiste na Sceilge</li> <li>➤ Castleisland Community College</li> <li>➤ Scoil an Ghleanna</li> <li>➤ Devolved Project - St. Oliver’s National School, Killarney</li> <li>➤ Kerry College – Clash Campus Car Park</li> <li>➤ Tech Amergin Further Education Centre</li> <li>➤ An Tóchar Further Education Centre</li> <li>➤ Kenmare Further Education Centre</li> <li>➤ O’Connell Further Education Centre</li> </ul>

**Proposal for the compilation of a history of Gaelcholáiste Chiarraí**

As addressed in section 4.1, the on-site construction of the new Gaelcholáiste Chiarraí commenced on Wednesday 24<sup>th</sup> March 2021 with the projected time frame for completion – 75 weeks from commencement of the works.

It is proposed to compile and publish a history of the establishment and development of Gaelcholáiste Chiarraí to be completed prior to the official opening of the new School Building.

A copy of the history publication will be presented to the school at the official opening and the estimate of costs circa €10,000. Further details re this project are available on request.

The Board welcomed and supported this proposal given the development and expansion of the school and its positive contribution to the promotion and use of the Irish Language in the Tralee and the wider North Kerry area.

**Proposed: Cllr. Terry O'Brien**

**Seconded: Cllr. Johnnie Wall**

**Use of the Kerry ETB Seal as per paragraph 2, Schedule 3 ETB Act 2013 – for noting**

**Knocknagoshel National School**

The Buildings Officer, Mr. Pádraig O'Sullivan advised that Kerry ETB on March 16<sup>th</sup> 2021 received the Project Brief, Project Budget and Service Level Agreement (SLA) from the DoE for this devolved Funding Project. The SLA for the delivery of the new school was signed and sealed at the ETB Board meeting on March 30<sup>th</sup> 2021. The Initial Budget estimate is c. €2,576,000 and it is expected Kerry ETB will commence tendering for a Design Team from April 1<sup>st</sup> 2021.

**ESB Contract – Site of Gaelcholáiste Chiarraí Nua connection to the Grid**

The Buildings Officer, Mr. Pádraig O'Sullivan advised that this document was signed and sealed after the February 23<sup>rd</sup> 2021 Board Meeting by An Cathaoirleach and the CEO.

The Board noted this update.

**Land & Leases**

**Lease Agreement for approval by ETB Board - Director of FET**

The Director of FET advised that Board approval is being sought for a new lease at Dúchas House, Edward Street, Tralee. The proposed lease would be to accommodate Tralee Youthreach. Presently Kerry ETB are leasing a building at Upper Rock Street, Tralee, for the delivery of this Youthreach programme. The new lease proposed, at Dúchas House, is to address Health & Safety concerns raised in relation to access and egress to the current premises in Upper Rock Street Tralee for staff and learners, as confirmed by

Egan Safety Solutions, and the need for larger more suitable accommodation. Kerry ETB will seek to terminate our current lease at Tralee CDP which is due to expire December 31<sup>st</sup> 2021, on the grounds of the H&S issues as raised, should the new lease be approved.

The proposed new lease terms are as follows:

**Building:** Duchas House Tralee:  
**Term:** Two Years  
**From:** 1<sup>st</sup> May 2021 – 1<sup>st</sup> May 2023  
**Rent:** €60,000 per annum – VAT is not applicable  
**Area:** 4,292 sq. ft.

Fit out works to be addressed with the Landlord. Kerry ETB may incur some fit out costs.

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

**Proposed: Cllr. Johnnie Wall**  
**Seconded: Cllr. Deirdre Ferris**

The Board was advised that the lease is subject to approval by the Department.

**Lease Agreement for approval by ETB Board - Director of FET**

The Director of FET advised that Board Approval is being sought for the proposed new lease at Tralee Bay Sailing Club, Fenit, Tralee. The proposed lease of the 1<sup>st</sup> Floor of Tralee Bay Sailing Club for the provision of additional FET Courses, namely and Commercial Diving Course and Scuba Diving Instructor Course. The following are the proposed terms for the lease of the 1<sup>st</sup> Floor of Tralee Bay Sailing Club:

**Term:** 10 Years with a 5 Year Break Clause  
**From:** 1<sup>st</sup> September 2021 to 1<sup>st</sup> September 2031. (Break Option 1<sup>st</sup> September 2026)  
**Rent:** €7,380 per annum including VAT (in recognition of the fact that Kerry ETB will be undertaking a fit-out of the premises)  
**Area:** c. 2,850 sq. ft. – First Floor Only

The Director of FET advised that the ETB will be responsible for the fit-out of the premises in question and planning permission and a specification has been developed for the premises. The lease will also grant Kerry ETB use of the yard to the rear and use of the slipway to access the marina. The rental is €7,380 including VAT for the first 5 years in recognition to fact Kerry ETB will be undertaking a fit-out of the premises. Rental costs after the 5<sup>th</sup> year would be at market rate to be determined at the time and subsequently approved by ETB Board and DoE.

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

**Proposed: Cllr. Maura Healy Rae**  
**Seconded: Cllr. Fionnán Fitzgerald**

The Board was advised that the lease is subject to approval by the Department.

**License Agreement - Two Mile Community National School (CNS) Pre-School**

The Buildings Officer advised that, as per requirements set out in DoE "Guidance for use of School Buildings" Kerry ETB propose to advertise, in April 2021, in local newspapers, the availability of the third classroom within Two Mile CNS as a preschool for the Academic Year September 2021 to June 2022 under Licence Agreement with Kerry ETB. The Director of SYM is addressing these matters with the current service provider.

It was noted that any proposed Licence Agreement would be subject to the ETB Board and DoE approval.

In response, Cllr. Marie Moloney proposed that due to the ongoing COVID-19 pandemic, the current License Agreement should be extended for a further academic year (A/Y 2021-2022)

The Board formally agreed to this extension.

**Proposed: Cllr. Marie Moloney**  
**Seconded: Cllr. Terry O'Brien**

Cllr. Deirdre Ferris set out some reservations re the renting/leasing of public sector owned lands to private commercial entities. The Director of SYM advised that use of part of the school building as a Pre-School service was in place since the opening of the school, under the patronage of Kerry ETB, as a CNS. A competition for the provision of this service from the school site (not in the school building) from September 2022 will be advertised in Qtr. 4 2021.

The Director of OS&D advised that this would require approval from the Minister of Education. A letter of explanation, seeking approval, will be sent to the Minister of Education and a further update will be provided at the next meeting.

**License Agreement - Killarney Community College - St. Paul's Basketball Club**

The Buildings Officer explained that St. Paul's Basketball Club Killarney have approached Kerry ETB re the possibility of refurbishing and extending the current sports hall at Killarney Community College to accommodate use by

the club in out of school hours etc. This would require the expansion of the current sports hall.

In addressing this request Kerry ETB agreed to engage with O’Keeffe O Connell Architects, to undertake an initial sketch design and feasibility study of the existing Sports Hall re the possible expansion etc. In this regard, an initial design meeting took place with the appointed architects and stakeholders, on March 26<sup>th</sup> 2021, and a further meeting with all stakeholders on March 29<sup>th</sup> 2021. If this proposal is deemed feasible it is proposed that Kerry ETB would consider issuing a Licence Agreement to St. Paul’s Basketball Club, subject to DoE approval.

It is expected that the architects will have provided initial sketches by April 9<sup>th</sup> 2021, following which all stakeholders will meet and address the initial plans.

The Board noted this update and was supportive of same.

#### **Awaiting DoE Sanction**

The Buildings Officer noted that Kerry ETB awaits sanction from the DoE Property Management Section in respect of the following:

1. Application submitted, on 22<sup>nd</sup> February 2021 to the DoE Property Management Section, Kerry ETB awaits consent in relation to the proposed lease between Kerry ETB and Waterville Men's Shed, at Tech Amergin Further Education and Training Centre, Waterville.
2. Application submitted, on August 19<sup>th</sup> 2020, to the DoE’s Property Management Section, Kerry ETB awaits approval 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).
3. Application submitted, on October 6<sup>th</sup> 2020, to the DoE’s Property Management Section, Kerry ETB awaits approval to finalize the rectification of title for the Raheen Old Technical School, Annaghmore, Headford, Killarney, Co. Kerry.
4. Application submitted February 24<sup>th</sup> 2021, to the DoE’s Schools Capital Appraisal Section, Kerry ETB awaits approval to proceed with the renewal of the lease at Collis Sandes House Tralee for Gaelcholáiste Chiarraí.

The Board noted this update.

#### **Anaerobic Digestion Facility – Planning Appeal Update**

The Buildings Officer, Mr. Pdraig O’Sullivan advised the following:

- Kerry ETB continue to monitor the planning file in relation to the proposed development.

- Kerry ETB have noted that from review of An Bord Pleanála's website the planning case is not due to be decided until May 17<sup>th</sup> 2021.

#### **Killorglin Community College Proposal Update**

The Buildings Officer, Mr. Pdraig O'Sullivan advised the following:

- Kerry ETB is in ongoing communication with Mr. Andrew Flood (Site Acquisition & Property Management Section DoE) re the approval to finalize the proposed lease between Kerry ETB and Killorglin Sports and Leisure Company Limited by Guarantee. The application was submitted on August 19<sup>th</sup> 2020 to the DoE's Property Management Section.

#### **Request for integration of Urban Landscape Cloonmore, Tralee (John Phelan) Update**

No further communication has been received.

#### **Causeway Comprehensive School Land Swap Proposal Update**

- As addressed at previous meetings, following the decision taken at the ETB Board Meeting on January 26<sup>th</sup> 2021, Kerry ETB in a letter to the DoE have requested final approval to proceed with the proposed land swap.
- Kerry ETB on February 26<sup>th</sup> 2021 received a letter from the DoE advising it was in order to proceed with the land swap.
- Kerry ETB legal agents are liaising with the landowner's Legal Agents.

#### **Causeway Comprehensive School – Ownership of shed**

- As advised at the ETB Board Meeting on February 23<sup>rd</sup> 2021, Kerry ETB on January 18<sup>th</sup> and February 11<sup>th</sup> 2021 received letters and a map from Bailys Solicitors, Tralee acting on behalf of Wym O'Connell, Causeway.
- Mr. O'Connell is claiming ownership of a shed on the lands to the north of the Causeway Comprehensive School site, CS Folio KY75869F (owned by Kerry ETB).
- Buildings Officer and Director of SYM had meeting with Kerry ETB legal agents, Murphy Ramsey Walsh (MRW) Solicitors on March 29<sup>th</sup> 2021. MRW are reviewing this matter and revert to the ETB outlining recommendations for further consideration by BOM of the School and the ETB Board. As part of this process, MRW will be engaging with Bailys Solicitors in addressing matters.

The Board noted these updates.

Board Members Cllr. Fionnán Fitzgerald and Ms. Joan McCrohan asked for an update regarding the accommodation needs for Castleisland Community College. Buildings Officer, Mr. Pdraig O'Sullivan advised that this matter is with the DoE. He referred to the Buildings Report which noted an application for a school extension was submitted to the DoE on March 11<sup>th</sup> 2021, which includes two additional prefabs as a form of interim accommodation until an extension can be built. This application was submitted following ongoing engagement between the Buildings Officer, Department of Education and

	<p>School Management between November 2020 and March 2021 prior to the submission. Final documentation was submitted by the School Principal on 5<sup>th</sup> March 2021.</p> <p>The Board welcomed this update.</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>➤ Buildings Acquisition, Tralee and Listowel</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</li> <li>➤ Kerry ETB and MTU South Campus Acquisition</li> </ul>
7.4	<p><b>Schools, Youth &amp; Music Report – Director of SYM</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>➤ Phased Return to School</li> <li>➤ School Updates</li> <li>➤ Special Classes</li> <li>➤ Current Post Primary Priorities</li> <li>➤ Community National Schools</li> <li>➤ Wellbeing Kerry</li> <li>➤ Youth Work Report</li> <li>➤ Kerry Local Creative Youth Project</li> <li>➤ Music Generation Kerry Update</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>➤ FET Remote Learning</li> <li>➤ Apprenticeship – Time Critical</li> <li>➤ Time Critical Courses</li> <li>➤ Vulnerable Learners</li> <li>➤ Commercial Diving and Scuba Diving</li> <li>➤ Recruitment Overview</li> </ul>

	<p><b>Tralee Community Training Centre (CTC) Company Limited by Guarantee</b></p> <p>Prior to commencing the discussions on Tralee Community Training Centre (CTC) Company Limited by Guarantee, in accordance with the provisions of Paragraph (10), Schedule 3 Education and Training Boards (ETB) Act 2013, Cllr. Deirdre Ferris declared a conflict of interest as a Member of the Tralee CTC Board. Cllr. Ferris did not partake in any discussions in relation to this matter.</p> <p>The Director of FET addressed matters relating to the Tralee Community Training Centre (CTC) Company Limited by Guarantee as follows:</p> <ul style="list-style-type: none"> <li>➤ As addressed at the February 23<sup>rd</sup> 2021 Board Meeting, Kerry College Monavalley Campus, provides annual funding to Tralee CTC - the annual 'Agreement to Collaborate' - (€576,954 in 2020).</li> <li>➤ A meeting was sought with the Board of Tralee CTC, to take place in March to address some aspects of the "Governance Role of the Board" in the context of the provisions of the annual 'Agreement to Collaborate'.</li> <li>➤ A virtual meeting took place with CTC Company Board of Directors on March 4<sup>th</sup> 2021.</li> <li>➤ A follow up letter issued to the CTC Board Chairperson dated March 10<sup>th</sup> 2021 seeking a reply by Friday March 19<sup>th</sup> 2021.</li> <li>➤ Reply received from the CTC Chairperson by letter dated March 18<sup>th</sup> 2021 to the Director of FET.</li> <li>➤ The reply has been considered and it has been decided to engage a third party Audit Firm to complete an Audit for the years 2018, 2019 and 2020.</li> <li>➤ Letter to issue to the CTC Board Chairperson on Wednesday March 31<sup>st</sup> 2021 with the draft Audit Terms of Reference (TOR's) for review and feedback.</li> </ul> <p>The Board was advised the procurement of a third party Audit Firm is being progressed with the Audit scheduled for May/June 2021</p> <p>Following discussions, the Board recorder their support for the approach being adopted in addressing this matter.</p> <p>The Board noted this update.</p>
7.6	<p><b>Organisation Support and Development Report – Director of OS&amp;D</b> 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>Iveragh Taskforce - Arts Initiative - Creative Places Application</b></p> <ul style="list-style-type: none"> <li>➤ Email from Board Member, Cllr. Norma Moriarty, on March 15<sup>th</sup> 2021, (as circulated with the Agenda) with proposal prepared by Rachel Halstadt of Údarás na Gaeltachta re. Creative Places Project for Iveragh.</li> <li>➤ Proposal to issue a letter of support, from the Board, for the Iveragh Taskforce - Arts Initiative - Creative Places Application was agreed.</li> </ul> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Cllr. Terry O'Brien</b></p> <p><b>Representation and affiliation issues regarding the "Parent Voice" and the role of the ETBsNPA as the national representative body of ETB Schools and institutions</b></p> <ul style="list-style-type: none"> <li>➤ Presentation to be made at the April 27<sup>th</sup> Board Meeting by Board Member Mr. Noel Keenan.</li> </ul>
09/2020/8	<p><b>CORRESPONDENCE</b> <b>COMHFHREAGRAS</b></p>
8.1	<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, Equality, Disability, Integration and Youth:</b> Noted as listed</p> <p><b>8.7</b></p> <p><b>ETBI Correspondence:</b> Noted as listed</p> <p><b>8.8</b></p> <p><b>SOLAS Correspondence:</b> Noted as listed</p>

8.9	<b>Other Correspondence:</b> Noted as listed.
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03/2021/9	<b>ANY OTHER BUSINESS WITH THE PERMISSION          OF AN CATHAOIRLEACH          AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH</b>
	<b>Next Kerry ETB Board Meeting:</b> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>Tuesday April 27<sup>th</sup> 2021          Via Videoconference          4.15pm</b> </div>

Signed/Sínithe: \_\_\_\_\_ Date/Dáta: \_\_\_\_\_