

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

**Minutes** of the Kerry Education and Training Board (Kerry ETB) meeting held via video conference on Tuesday, December 14<sup>th</sup> 2021.

**In Attendance:**

Cllr. Jim Finucane  
Cllr. Aoife Thornton  
Cllr. Deirdre Ferris  
Cllr. Johnnie Wall  
Cllr. Michael Cahill  
Cllr. Norma Moriarty  
Mr. Joseph Brennan  
Mr. Tim Daly

Cllr. Terry O'Brien  
Cllr. Cathal Foley  
Cllr. Fionnán Fitzgerald  
Cllr. Marie Moloney  
Cllr. Niall O'Callaghan  
Ms. Joan McCrohan  
Ms. Maria O'Gorman  
Mr. Zaid Kassoob

Mr. Colm Mc Evoy, Chief Executive Officer (CEO), Ms. Maria Brennan, Director of Organisation Support and Development (OS&D), Ms. Ann O'Dwyer, Director of Schools, Youth and Music (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 (HR), 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 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. The Chairperson asked Board Members to verbally declare any conflicts of interest before commencing with the meeting.**

12/2021/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
<b>1.1</b>	<p><b>Apologies/Leithscéalta:</b></p> <ul style="list-style-type: none"> <li>➤ Ms. Celia O'Shea</li> <li>➤ Mr. Owen O'Donnell</li> </ul>
<b>1.2</b>	<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>➤ Ms. Catherine Lyons, Head Office, on the death of her Uncle, Mr. Patrick Lyons.</li> <li>➤ The Lyons Family, on the death of Mr. John Anthony Lyons, retired Teacher, Killorglin Community College and Kenmare Vocational School.</li> <li>➤ Mr. Joe O'Shea, Instructor, Kerry College Monavalley Campus, on the death of his Mother-in-Law, Ms. Angela Fahy.</li> <li>➤ Mr. Kevin O'Connor, Instructor, Kerry College Monavalley Campus, on the death of his Father, Mr. John O'Connor.</li> <li>➤ Ms. Caroline O'Dowd, Teacher, Causeway Comprehensive School, on the death of her Mother-in-Law, Ms. Noreen Murphy.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Mr. Paul O'Regan, Kerry College Clash Campus, on the death of his Father-in-Law, Mr. Eugene O'Brien.</li> <li>➤ Mr. Tom Little, Instructor, Kerry College Monavalley Campus, on the death of his Mother, Ms. Rita Little.</li> <li>➤ Ms. Clair Horan, Instructor, Kerry College Clash Campus, on the death of her Mother, Ms. Celine Horan.</li> <li>➤ Ms. Angela O'Sullivan, Kerry College Clash Campus, on the death of her Brother, Mr. Maurice O'Sullivan.</li> <li>➤ Mr. Edward O'Neill, Procurement Officer, Head Office, on the death of his Brother-in-Law, Mr. Maurice O'Sullivan.</li> <li>➤ Ms. Ann Moynihan, Teacher, Killorglin Community College, on the death of her Mother-in-Law, Ms. Mary Houlihan.</li> <li>➤ Ms. Lenora Bourke, Teacher, Coláiste na Sceilge, on the death of her Mother, Ms. Maura Bourke.</li> <li>➤ Ms. Karen O'Sullivan, Head Office, on the death of her Aunt, Ms. Eileen O'Leary.</li> <li>➤ The Ó Riordáin Family, on the death of retired Teacher and Pensions Advisor Mr. Donnchadh Ó Riordáin, who provided pension advice to Kerry ETB staff for many years.</li> </ul>
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<b>12/2021/2</b>	<b>CONGRATULATIONS COMHGHAIRDEAS</b>
<b>2.1</b>	<p><b>Congratulations/Comhghairdeas:</b> Congratulations to:</p> <ul style="list-style-type: none"> <li>➤ Kerry College Learner, Mr. Ian O'Connell on securing his own weekly show, 'Stand Out' on Radio Kerry.</li> </ul>

<b>12/2021/3</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 October 13<sup>th</sup> 2021 were adopted and signed.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Johnnie Wall</b></p>
<b>3.2</b>	<p>The minutes of the Kerry ETB meeting held on October 26<sup>th</sup> 2021 were adopted and signed.</p> <p style="text-align: center;"><b>Proposed: Cllr. Fionnán Fitzgerald</b></p>

	<b>Seconded: Cllr. Johnnie Wall</b>
<b>12/2021/4</b>	<b>MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ</b>
	Further to the feedback received at the Board Self-Assessment (CL0002/2019, Section 4) meeting held on May 11 <sup>th</sup> 2021, Matters Arising will now be addressed under the relevant Department/Executive Report in the Agenda:
<b>4.1</b>	Gaelcholáiste Nua School Building Project – update under Capital and Buildings Report (Section 7.2)
<b>4.2</b>	Listowel School Accommodation – update under Capital and Buildings Report (Section 7.2)
<b>4.3</b>	Listellick National School Building Project – update under Capital and Buildings Report (Section 7.2)
<b>4.4</b>	Head Office Rent Review - update under Finance Officer's Report (Section 7.1)
<b>4.5</b>	Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate Boundary Issue – update under Capital and Buildings Report (Section 7.2)
<b>4.6</b>	The English Language requirements for some Kerry ETB FET courses – update under Further Education and Training (FET) Report (Section 7.4)
<b>4.7</b>	All-Irish post-primary provision in Killarney – update under Schools Youth and Music (SYM) Report (Section 7.3)
<b>4.8</b>	FET Provision in Killarney – update under Capital and Buildings Report (Section 7.2)
<b>4.9</b>	Kerry ETB Lands at Cloonmore Tralee – Site of Gaelcholáiste Chiarraí Nua – update under Capital and Buildings Report (Section 7.2)
<b>4.10</b>	Anaerobic Digestion Facility – Planning Appeal – update under Capital and Buildings Report (Section 7.2)
<b>4.11</b>	South Kerry Youthreach – update under FET Report (Section 7.4)

12/2021/5	<b>EDUCATION AND TRAINING TOPICS FOR DISCUSSION ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ</b>
5.1	<p><b>IPB Insurance Proposed Premiums 2022</b> Ms. Aileen O'Connor, Head of CCT Department provided a comprehensive update on the insurance premiums for 2022, as received by the ETB from IPB Insurance. The presentation addressed:</p> <ul style="list-style-type: none"> <li>➤ Historic Claims</li> <li>➤ Current live claims</li> <li>➤ Kerry ETB Performance 2021</li> <li>➤ Review of Premiums Paid</li> <li>➤ 2022 Projected Renewal Premium</li> <li>➤ Crime Policy Proposal</li> </ul> <p>Aileen also advised that the ETB will be extending the ETB's insurance cover in 2022 to include a Crime Policy.</p> <p>The Board was advised the projected renewal premium for 2022 is circa €405,392.</p> <p>An Cathaoirleach thanked Aileen for the comprehensive presentation and the Board were fully supportive of the insurance cover in place in the ETB for 2022, as outlined in the presentation.</p>
12/2021/6	<b>GOVERNANCE RIALACHAS</b>
6.1	<p><b>Risk Management</b> Director of OS&amp;D, Ms. Maria Brennan, Executive Support, provided the following update:</p> <p><b>Risk Management Update</b></p> <ul style="list-style-type: none"> <li>➤ Revised documentation, to include risk management policy, framework and appetite statement, was scheduled to be tabled at the December Board Meeting but has been deferred to the January meeting, pending further review by the ETB's Audit and Risk Committee on December 16<sup>th</sup> 2021.</li> </ul> <p>The Board noted the update.</p>

<p><b>6.2</b></p>	<p><b>Internal Controls/Assurances Update</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan addressed the following in respect of the ETB's control framework:</p> <ul style="list-style-type: none"> <li>➤ CEO and Wider Management: <ul style="list-style-type: none"> <li>➤ Part one of the Line Management In-Service programme has been completed. Part two will recommence in February 2022.</li> </ul> </li> <li>➤ Board/Board Committees: <ul style="list-style-type: none"> <li>➤ The fourth Finance Committee meeting of the year took place on December 8<sup>th</sup> 2021.</li> <li>➤ The fifth Audit and Risk (A&amp;R) Committee meeting of the year is scheduled to take place on December 16<sup>th</sup> 2021.</li> </ul> </li> <li>➤ Audit External/Internal: <ul style="list-style-type: none"> <li>➤ Regarding the Audit of the 2020 Financial Statements the initial information gathering and data samples requested by the Comptroller and Auditor General (C&amp;AG) in advance of the Audit has been provided by Kerry ETB. The C&amp;AG's fieldwork has yet to commence and accordingly, the audit will not be fully progressed until 2022.</li> <li>➤ The Procurement and Health and Safety audit reports remain outstanding. The IAU-ETB has indicated that the outcomes of both audits will be adequate.</li> </ul> </li> <li>➤ Internal Systems: <ul style="list-style-type: none"> <li>➤ Centralised Purchasing and Procurement (CPP) Unit: All schools and FET provision have transferred to a Centralised Purchasing Model.</li> <li>➤ Sun Financial System will go live in January 2022.</li> </ul> </li> </ul> <p>The Board noted this update.</p>														
<p><b>6.3</b></p>	<p><b>Section 44 Committee Minutes – for approval</b></p> <p>The minutes of the following Section 44 Committee meetings were noted and formally approved by the Board:</p> <table border="1" data-bbox="596 1406 1353 1626"> <thead> <tr> <th>Section 44 Committee</th> <th>Meeting Date</th> </tr> </thead> <tbody> <tr> <td>Scoil an Ghleanna Pobalscoil Náisiúnta</td> <td>15<sup>th</sup> September 2021</td> </tr> <tr> <td>Tahilla Community National School</td> <td>14<sup>th</sup> September 2021</td> </tr> <tr> <td>Two Mile Community National School</td> <td>13<sup>th</sup> September 2021</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Proposed: Cllr. Norma Moriarty</b> <b>Seconded: Cllr. Marie Moloney</b></p> <table border="1" data-bbox="453 1756 1474 1957"> <thead> <tr> <th>Section 44 Committee</th> <th>Meeting Date</th> <th>Board Members in Attendance at S.44 Meeting</th> </tr> </thead> <tbody> <tr> <td>Causeway Comprehensive School</td> <td>31st May 2021</td> <td>Cllr. Aoife Thornton, Ms. Maria O’Gorman, Mr. Noel Keenan</td> </tr> </tbody> </table>	Section 44 Committee	Meeting Date	Scoil an Ghleanna Pobalscoil Náisiúnta	15 <sup>th</sup> September 2021	Tahilla Community National School	14 <sup>th</sup> September 2021	Two Mile Community National School	13 <sup>th</sup> September 2021	Section 44 Committee	Meeting Date	Board Members in Attendance at S.44 Meeting	Causeway Comprehensive School	31st May 2021	Cllr. Aoife Thornton, Ms. Maria O’Gorman, Mr. Noel Keenan
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6.4	<p data-bbox="448 1023 1222 1059"><b>Section 44 Committee – Appointments - for approval</b></p> <p data-bbox="448 1061 1187 1095">The following appointments were made by the Board:</p> <table border="1"> <thead> <tr> <th colspan="2" data-bbox="534 1115 1412 1196"><b>Music Generation Committee</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="534 1196 831 1281">Dr. Susan Motherway</td> <td data-bbox="831 1196 1412 1281">Education Sector</td> </tr> <tr> <td data-bbox="534 1281 831 1366">Ms. Loz-Ann McCarthy</td> <td data-bbox="831 1281 1412 1366">Education Sector</td> </tr> <tr> <td data-bbox="534 1366 831 1451">Ms. Máire Jones</td> <td data-bbox="831 1366 1412 1451">Education Sector</td> </tr> <tr> <td data-bbox="534 1451 831 1536">Ms. Rachel Holstead</td> <td data-bbox="831 1451 1412 1536">Statutory Sector (Child &amp; Family Agency/HSE/ Educational Institutions/Local Authority Officials)</td> </tr> <tr> <td data-bbox="534 1536 831 1621">Mr. Terry O'Sullivan</td> <td data-bbox="831 1536 1412 1621">Education Sector</td> </tr> </tbody> </table> <p data-bbox="761 1646 1187 1718" style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b> <b>Seconded: Cllr. Jim Finucane</b></p> <p data-bbox="448 1758 1485 1865">The Board were invited to nominate two Board Members for the new Music Generation Committee. Following discussion, the following were nominated:</p> <p data-bbox="448 1906 746 1939">➤ Cllr. Deirdre Ferris</p> <p data-bbox="761 1944 1187 1980" style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b></p>	<b>Music Generation Committee</b>		Dr. Susan Motherway	Education Sector	Ms. Loz-Ann McCarthy	Education Sector	Ms. Máire Jones	Education Sector	Ms. Rachel Holstead	Statutory Sector (Child & Family Agency/HSE/ Educational Institutions/Local Authority Officials)	Mr. Terry O'Sullivan	Education Sector							
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	<p style="text-align: center;"><b>Seconded: Cllr. Terry O’Brien</b></p> <p>➤ Cllr. Niall O’Callaghan  <b>Proposed: Cllr. Terry O’Brien</b>  <b>Seconded: Cllr. Deirdre Ferris</b></p> <p>The Members were duly appointed to the committee and following further discussion, Cllr. Deirdre Ferris was proposed as Chairperson of the new Committee.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O’Brien</b>  <b>Seconded: Cllr. Jim Finucane</b></p> <p><b>Section 44 Committee – Vacancies – for consideration</b>  The following Section 44 Committee vacancies were highlighted for consideration at the next meeting of the Board:</p> <table border="1" data-bbox="580 837 1369 1525"> <thead> <tr> <th>Section 44 Committee</th> <th>Vacancy</th> </tr> </thead> <tbody> <tr> <td>Causeway Comprehensive School</td> <td>1 x ETB Board Member</td> </tr> <tr> <td>Coláiste na Ríochta</td> <td>1 x ETB Board Member (Chair) 1 x Female Parent/Guardian 1 x Community</td> </tr> <tr> <td>Gaelcholáiste Chiarraí</td> <td>2 x ETB Board Members</td> </tr> <tr> <td>Killorglin Community College</td> <td>1 x Male Parent/Guardian</td> </tr> <tr> <td>FET Centres</td> <td>1 x Community Nominee 1 x Learner</td> </tr> <tr> <td>Youthreach</td> <td>1 x ETB Board Member (Chair) 1 x Female Parent/Guardian</td> </tr> <tr> <td>Youthwork</td> <td>1 x ETB Board Member</td> </tr> <tr> <td>Music</td> <td>1 ETB Board 2 Statutory 2 Community</td> </tr> </tbody> </table> <p>Nominations for appointment to these Boards will be addressed at the next Board meeting.</p>	Section 44 Committee	Vacancy	Causeway Comprehensive School	1 x ETB Board Member	Coláiste na Ríochta	1 x ETB Board Member (Chair) 1 x Female Parent/Guardian 1 x Community	Gaelcholáiste Chiarraí	2 x ETB Board Members	Killorglin Community College	1 x Male Parent/Guardian	FET Centres	1 x Community Nominee 1 x Learner	Youthreach	1 x ETB Board Member (Chair) 1 x Female Parent/Guardian	Youthwork	1 x ETB Board Member	Music	1 ETB Board 2 Statutory 2 Community
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6.5	<p><b>Section 45 Committee Minutes for approval</b>  Minutes of the following Section 45 Committee Meetings were approved by the Board:</p> <table border="1" data-bbox="453 1832 1493 1977"> <thead> <tr> <th>Section 45 Committee</th> <th>Meeting Date</th> <th>Board Members in Attendance</th> </tr> </thead> <tbody> <tr> <td>Audit and Risk</td> <td>16<sup>th</sup> September 2021</td> <td>Cllr. Norma Moriarty, Ms. Maria O’Gorman</td> </tr> </tbody> </table>	Section 45 Committee	Meeting Date	Board Members in Attendance	Audit and Risk	16 <sup>th</sup> September 2021	Cllr. Norma Moriarty, Ms. Maria O’Gorman												
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	<b>Finance</b>	25 <sup>th</sup> March 2021	Mr. Zaid Kassoob, Ms. Joan McCrohan
		26 <sup>th</sup> October 2021	Cllr. Aoife Thornton, Cllr. Deirdre Ferris, Mr. Zaid Kassoob
<b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Deirdre Ferris</b>			
6.6	<b>Minutes of Partnership Schools Board of Management (BOM) Meetings</b> There were no minutes for noting this month.		
6.7	<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&D, Ms. Maria Brennan: <ul style="list-style-type: none"> <li>➤ Continuous Professional Development Policy and Procedure – Revised</li> <li>➤ Phased Return to Work Policy and Procedure - Revised</li> <li>➤ Anti-Fraud and Corruption Policy and Procedure - Revised</li> <li>➤ Motor Vehicle Usage Policy and Procedure - Revised</li> <li>➤ Terms of Reference for the Kerry ETB Section 44 Committees - Revised</li> </ul> The Board approved the policies as presented by the Director of OS&D. <p style="text-align: center;"> <b>Proposed: Cllr. Terry O'Brien</b>  <b>Seconded: Cllr. Fionnán Fitzgerald</b> </p>		
6.8	<b>ETB Board Vacancies – Parent Representatives as per Section 37 of the ETB Act Update</b> The Director of SYM, Ms. Ann O'Dwyer provided the following update on the process to be followed in addressing the vacancies: <ul style="list-style-type: none"> <li>➤ November 2021: Kerry ETB wrote to Parents Forum Members seeking nominations (nomination forms will require a proposer and a seconder)</li> <li>➤ Parents nominated will be asked to confirm they are interested in going forward by e-mail.</li> <li>➤ If there are more than two candidates for either casual vacancy, there will be an election at the next meeting of the Parents Forum.</li> <li>➤ Candidates will be asked to give a short input on their vision for the Forum prior to the elections</li> <li>➤ The ETB National Parents Council (ETBsNPA) will be notified of the selected candidate and the ETBsNPA will formally appoint the successful nominee to the Kerry ETB Board</li> </ul>		

	It was noted that the nominations are due by December 16 <sup>th</sup> 2021 and they will be addressed at the January Board Meeting.
6.9	<p><b>Charities Code Correspondence – for noting</b></p> <p>Staff Officer, Ms. Patricia Tierney, Executive Support, provided the following update:</p> <ul style="list-style-type: none"> <li>➤ At the October 26<sup>th</sup> 2021 Board meeting, it was proposed and agreed to advise the Charities Regulator that Kerry ETB had not yet started implementing the Code <i>‘on the basis that there may soon be a special arrangement for ETBs.’</i> i.e. option C. Legal agents, Mason Hayes and Curran, set out this approach to Kerry ETB in correspondence dated September 25<sup>th</sup> 2021.</li> <li>➤ On November 1<sup>st</sup> 2021 a minute of a meeting that took place between the Charities Regulator, ETBI and the DoE on October 27<sup>th</sup> 2021 was circulated to the sector. The minute of the meeting included the following provision: <i>‘4. <u>Other assistance with compliance with Charities Code.</u> CRA confirmed that it is permissible to confirm compliance with the CRA Code by referencing compliance with ETB Code, once the ETB is satisfied that each given element of the CRA Code is met via the ETB Code of Practice. If there are areas, which are not, it is open for the ETBs to specifically address those areas in detail while confirming the other areas with reference to compliance with the ETB Code.</i></li> <li>➤ Subsequently in correspondence to the Charities Regulator dated November 8<sup>th</sup>, Kerry ETB referenced this meeting minute to confirm the following: <i>In this context, Kerry Education and Training Board (Kerry ETB), registered charity number (RCN) 20083243, demonstrates compliance annually to the attached Code of Practice for the Governance of Education and Training Boards (Circular Letter 0002/2019). The ETB is satisfied that each element of the Charities Governance Code is met via Circular Letter 0002/2019 save for <u>provision 6.1</u>, which the ETB has actioned subsequently, i.e. added the RCN to its corporate website, social media accounts and email communications.</i></li> <li>➤ On November 11<sup>th</sup> 2021, the Charities Regulator advised Kerry ETB that ‘If the charity is not complying with the Charities Governance Code and instead it is in compliance with Department of Education's Code of Governance for ETBs, the charity should state that it is not complying with the code and provide an explanation – which is the course of action adopted by Kerry ETB (as per the previous point).</li> </ul> <p>The Board noted this update.</p>

6.10	<p><b>ETB Board Self-Assessment 2021 - for noting</b></p> <p>Staff Officer, Ms. Patricia Tierney, Executive Support, provided the following update:</p> <ul style="list-style-type: none"> <li>➤ The Board Self-Assessment is a requirement of the Code of Practice for the Governance of ETBs (CL0002/2019). Section 4 of the Code, Board Effectiveness, sets out that the Board of Kerry ETB should ‘undertake a self-assessment annual evaluation of its own performance and that of its board committees.’</li> <li>➤ On November 30<sup>th</sup> 2021 Board members received notice to complete the 2021 questionnaire, either by MS Forms or PDF. The questionnaire contains thirty-four questions and takes c. five minutes to complete. <b>The closing date for submission is January 25<sup>th</sup> 2022.</b></li> <li>➤ Board members are advised to contact Ms. Patricia Tierney, Executive Support, directly, should they need any support through the process.</li> </ul> <p>The Board welcomed and noted this update.</p>
6.11	<p><b>Strategic Planning for 2022 (notice) - for discussion</b></p> <p>Staff Officer, Ms. Patricia Tierney, Executive Support, provided the following update:</p> <ul style="list-style-type: none"> <li>➤ The Executive are finalising the priorities for the calendar year 2022. These will be presented at the January 2022 meeting.</li> <li>➤ As part of this process, Board Members are asked to advise their recommended/preferred priorities for the year ahead. Any recommendations/preferred priorities from Board Members should be emailed to Ms. Patricia Tierney by Thursday, January 13<sup>th</sup> 2022 at <a href="mailto:ptierney@kerryetb.ie">ptierney@kerryetb.ie</a>.</li> </ul> <p>The Board were advised that the ETB will be engaged in a process to develop a new Kerry ETB Strategy Statement, for 2023-2027, in 2022 as per Section 27 of the ETB Act 2013.</p> <p>It was suggested that a separate meeting be scheduled, in late January/early February 2022, at which the Executive and the Board Members priorities could be considered and the overall strategic priorities for Kerry ETB for 2022 could be agreed.</p> <p>The CEO and An Cathaoirleach to agree if it is necessary to convene a special meeting to address same.</p>
6.12	<p><b>Review of Board Subcommittees</b></p> <p>At the Board meeting, it was noted that currently, the ETB has three serving ETB Board Members on all Section 44 Committees which may place pressure on Board Members to attend a large volume of meetings. It was proposed that the number of required ETB Board Members on each Section</p>

	<p>44 Committee would be reduced from three to two. Board Members are to consider same, and a decision will be made at the January Board Meeting.</p> <p>The reduction from three Board Members to two would require the appointment of a Board nominee who would not be a Member of the ETB Board to fill the vacancy arising on the Section 44 Committees.</p> <p>Board Members, in their feedback, welcomed this proposal setting out, as part of the selection process, it would be important that the nominee selected would have the requisite knowledge and interest in the Section 44 Committee area for which they were being nominated.</p> <p>The Executive will prepare a document addressing same for consideration by Board members at the January 25<sup>th</sup> Board meeting.</p>
<p><b>6.13</b></p>	<p><b>Kerry ETB Interview Boards - for noting</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <ul style="list-style-type: none"> <li>➤ All Kerry ETB recruitment selection boards must have an ETB Board Member on the panel.</li> <li>➤ Any Board Member who is interested in participating on selection boards should contact the Head of Human Resources, Ms. Betty Corkey.</li> </ul> <p>The Head of HR, Ms. Betty Corkey expressed her concern that it is increasingly difficult to get available Board Members for selection boards.</p> <p>An Cathaoirleach raised the issue in relation to the fee that is actually paid, to Members, for sitting on Boards, and proposed that a letter should issue to the Department of Education and the Department of Further and Higher Education Research, Innovation and Science. This letter should address the difficulties being encountered by the ETB and request that the current remuneration for people serving on Interview Boards be reviewed.</p> <p>This proposal was unanimously supported by the Board.</p>
<p><b>6.14</b></p>	<p><b>Board Member Devices/Hybrid Meeting Arrangements</b></p> <p>On November 22<sup>nd</sup> 2021 the Senior Executive tabled a proposal to purchase devices for all Members of the Board. The cost of implementing this proposal was c. €20,562.00 ex VAT. The rationale underpinning this proposal was to address the need for Board Members to access their meeting documents securely. With the remote meetings, some difficulties were arising.</p> <p>With the introduction of remote/hybrid meetings and the likelihood of its continued use into the future, these devices will help ensure members are fully equipped to attend meetings remotely and securely.</p>

	<p>Training will be delivered to each member on the use of the device should it be required. The devices are currently being configured and will be distributed in advance of the January Board meeting.</p> <p>The Board Meetings have moved to a cloud solution in relation to the circulation of the Board documentation. This approach is also fully aligned to the Comptroller and Auditor General's (C&amp;AG) good practice recommendations referred to in its December 2020 report on Financial Governance as follows:</p> <p><i>Corporate Governance Calendar: A shared drive is in place where board members can remotely access all information in advance of board meetings.</i></p> <p>The CEO highlighted that the provision of devices specifically for Board Meetings would facilitate a hybrid approach to meetings going forward where some Members may be in a position to attend in person and some remotely. Crucially Members will have a device that will guarantee them secure access and capacity to participate fully in the meeting. In addition, where recruitment selection boards are scheduled remotely these devices can be used.</p> <p>Upgrade works are ongoing in the ETB boardroom which will fully support hybrid meetings into the future. Specifically, visual and sound functionality is being addressed.</p> <p>The Board Members welcomed this update.</p>
6.15	<p><b>Kerry ETB Logo New Design Development</b></p> <p>A general update was provided by the CEO, Mr. Colm McEvoy and Director of OS&amp;D on the review of the Kerry ETB logo. It was agreed that further time would be assigned to discuss this matter at the January 25<sup>th</sup> Board meeting.</p> <p>The Board noted the update.</p>
6.16	<p><b>Internal Audit Unit-ETBs – Kerry ETB Utilisation of FET Audit</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan advised that the Final Opinion Report (Ref: K12/2021) had been received from IAU-ETB stating that 'Kerry ETB has, in the opinion of the Auditors, an adequate system of internal control in place regarding the Utilisation of Further Education and Training.</p> <p>The Board welcomed this update.</p>

12/2021/7	<p style="text-align: center;"><b>EXECUTIVE UPDATES</b> <b>UASDÁTÚ ÓN BHFEIDHMEANNAS</b></p>
7.1	<p><b>Finance Update</b> <b>Finance Report – Matters Arising</b> <b><u>Head Office Rent Review Update</u></b> (Item 4.4)</p> <p>The Head of Finance provided a very comprehensive overview on the rent review for Head Office, a copy of the presentation to be circulated to the Board after the meeting. The Head of Finance reemphasised the confidentiality of this information as per Schedule 3, Paragraph 13 of the ETB Act 2013.</p> <p>The Head of Finance addressed the proposed increase in the baseline rent which would result in the rental charge increasing from €7.50 per sq. ft. to €10.00 per sq. ft. This would mean a €33,320.00 increase in the baseline rent for the ETB not including the Service Charge. When the ETB negotiated the original lease for the building, the Service Charge was included in the rental figure. A number of Board Members and the Head of Finance highlighted that if a Service Charge is to be levied, it has to be based on actual service costs and to date we do not have details of those costs.</p> <p>Board members were asked by the Head of Finance to consider the following options:</p> <ol style="list-style-type: none"> <li>1. Accept the recommendation of the €10.00 per sq. ft. or</li> <li>2. Do not accept the recommendation and proceed to arbitration.</li> </ol> <p>It was noted that arbitration, while a useful process, maybe lengthy, protracted and costly legally. Having considered the matter, as per the provisions of Section 12(2)(n) ETB Act 2013, it was proposed by Cllr. Aoife Thornton that the ETB would accept option 1 €10.00 per sq. ft., as presented by the Head of Finance.</p> <p style="text-align: center;"><b>Proposed: Cllr. Aoife Thornton</b> <b>Seconded: Ms. Joan McCrohan</b></p> <p>The Head of Finance stated that he will now be communicating with the DoE re this decision and seeking approval to proceed on this basis.</p> <p>Relatedly, the CEO and An Cathaoirleach emphasised the need for the ETB to acquire its own permanent building for the Head Office. It was noted that the ETB has been leasing/renting Head Office buildings for many decades. This was addressed at the recent meeting with DoE officials in relation to the Performance Delivery Agreements on December 6<sup>th</sup> 2021. The ETB's long-held aim has been to secure permanent accommodation, currently, the ETB is</p>

	<p>paying significant rents which is unavoidable without permanent accommodation.</p> <p>Board members were unanimous in support of efforts to secure a permanent Head Office for the ETB.</p> <p><b><u>Comptroller and Auditor General (C&amp;AG) Annual Financial Statements (AFS) 2020 Audit</u></b></p> <p>The Head of Finance advised, as per 6.2 above, that the Audit of the 2020 Financial Statements will not be finalised in 2021. The C&amp;AG's fieldwork has yet to commence and accordingly, the audit will not be fully progressed until 2022</p> <p><b><u>Finance Report – Monthly Figures</u></b></p> <p>The Finance Report up to November 30<sup>th</sup> 2021 was presented by the Head of Finance at the meeting. This report will be circulated to Board members after the meeting.</p> <p>The Board had received the Finance Report up to October 31<sup>st</sup> 2021 with the Agenda.</p> <p>The Reports as addressed by the Head of Finance were noted by the Board.</p>										
7.2	<p><b>CCT Update</b></p> <p><b><u>Health and Safety (H&amp;S) Update</u></b></p> <p>The Head of the CCT Department, Ms. Aileen O'Connor provided an update addressing the following;</p> <table border="1" data-bbox="451 1301 1489 1989"> <thead> <tr> <th data-bbox="451 1301 719 1361">Activity</th> <th data-bbox="719 1301 1489 1361">Update</th> </tr> </thead> <tbody> <tr> <td data-bbox="451 1361 719 1451"><b>Central Safety Policies</b></td> <td data-bbox="719 1361 1489 1451">➤ Driving for work policy being drafted this month.</td> </tr> <tr> <td data-bbox="451 1451 719 1666"><b>COVID-19 Measures</b></td> <td data-bbox="719 1451 1489 1666"> <ul style="list-style-type: none"> <li>➤ Head office staff numbers are reduced since Friday, November 19<sup>th</sup>, 2021.</li> <li>➤ Reception is closed to the public since November 15<sup>th</sup>, 2021</li> <li>➤ Kerry ETB COVID Response Plan and procedures updated in line with new Public Health Advice.</li> <li>➤ Two schools are using the air purifiers to aid with ventilation.</li> </ul> </td> </tr> <tr> <td data-bbox="451 1666 719 1872"><b>Risk Assessment Program</b></td> <td data-bbox="719 1666 1489 1872"> <ul style="list-style-type: none"> <li>➤ Safety inspection program is continuing.</li> <li>➤ Three schools and five FET centres have been inspected by the H&amp;S Officer, copies of inspection reports are sent to the Principal/Centre Manager and their Line Manager.</li> <li>➤ Excellent progress has been made in implementing the safety management system.</li> </ul> </td> </tr> <tr> <td data-bbox="451 1872 719 1989"><b>Training Programme</b></td> <td data-bbox="719 1872 1489 1989"> <ul style="list-style-type: none"> <li>➤ Safety Awareness training provided to new management.</li> <li>➤ Risk assessment training provided to the Safety Committee in Kerry College, Monavalley Campus.</li> </ul> </td> </tr> </tbody> </table>	Activity	Update	<b>Central Safety Policies</b>	➤ Driving for work policy being drafted this month.	<b>COVID-19 Measures</b>	<ul style="list-style-type: none"> <li>➤ Head office staff numbers are reduced since Friday, November 19<sup>th</sup>, 2021.</li> <li>➤ Reception is closed to the public since November 15<sup>th</sup>, 2021</li> <li>➤ Kerry ETB COVID Response Plan and procedures updated in line with new Public Health Advice.</li> <li>➤ Two schools are using the air purifiers to aid with ventilation.</li> </ul>	<b>Risk Assessment Program</b>	<ul style="list-style-type: none"> <li>➤ Safety inspection program is continuing.</li> <li>➤ Three schools and five FET centres have been inspected by the H&amp;S Officer, copies of inspection reports are sent to the Principal/Centre Manager and their Line Manager.</li> <li>➤ Excellent progress has been made in implementing the safety management system.</li> </ul>	<b>Training Programme</b>	<ul style="list-style-type: none"> <li>➤ Safety Awareness training provided to new management.</li> <li>➤ Risk assessment training provided to the Safety Committee in Kerry College, Monavalley Campus.</li> </ul>
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This update was noted by the Board.

### **Sustainability Strategy 2020-2022 Update**

The Head of CCT, Ms. Aileen O'Connor provided the following update;

#### **Implementation Group:**

- Kerry ETB Sustainability Implementation Group Meeting 6<sup>th</sup> Dec 2021.

Matters being progressed include:

#### **Goal 1 - Staff Engagement:**

- Sustainability Reps in place / Green Teams being built at each Kerry ETB location
- Staff CPD Training on Waste Management – course 50% halfway complete
- Waste Audits completed by Staff at 20 Kerry ETB locations (as part of CPD training)
- Sustainability Reps Meeting held on November 4<sup>th</sup>, 2021, to discuss progress

#### **GOAL 2 - Student Engagement:**

- Primary & Post Primary Students engaged (An Taisce Green Flags)
- Kerry College signing up to An Taisce Green Campus program which promotes Student Engagement – mid-way through the registration process
- Internal Visual Communication Campaign re Sustainability, e.g. pull-ups and decals, required for broader Staff and Student Engagement in 2022

#### **GOAL 3 – External Stakeholder Engagement:**

- Connections initiated with SEAI and An Taisce, Kerry County Council and Transition Kerry

#### **GOAL 4 – Energy Sustainability:**

- Electric Car charging points installed at five FET sites (three Kerry College, two FET Centres)
- Kerry ETB signing up as an SEAI SEC (Sustainable Energy Community) to access Energy mentoring hours
- Management Energy Map Training with SEAI being put in place for Q1 2022
- Staff Energy in Education Training with SEAI being put in place for Q2 2022

#### **GOAL 5 – Estates Management:**

- Progress on Waste Management across the organisation - staff progressing this through Waste Training
- Access required to Kerry College Knockreer House for in-house biodiversity training

The Board noted the implementation progress being made.

**Capital and Buildings Report – Matters Arising Report – as circulated  
Gaelcholáiste Nua School Building Project Update (Item 4.1)**

An update was provided by the Buildings Officer, addressing the following:

- Works on site have progressed well during November, although Vision Construction Limited (VCL) remain behind programme by c. 2-3 weeks due to delays experienced in the delivery of precast panels to site.
- Mechanical and Electrical works have commenced at ground floor level. First fix containment is being installed in the main corridor and within the classrooms. Second fix M&E has commenced within the sample room.
- Site development works are also advancing well with the car park surface water drainage lines commenced and foul water drainage lines in progress.
- The contractor is currently installing Second Floor Precast Panels and Pouring Floor Slabs.
- Clerk of works inspections are ongoing, and issues raised on-site are communicated to the Oppermann Associates for review.
- It is presently anticipated that all precast installation will be completed by December 21<sup>st</sup>, 2021, two weeks behind schedule.
- As advised at the ETB Board meeting on October 26<sup>th</sup>, 2021, Kerry ETB have applied to the DoE for approval of Change Orders “CO Nr 3” as follows:
  - CO Nr 03 – Additional Electrical Costs Associated with Energy Conservation and Electrical Building Services Design - €96,391.37 ex. VAT
  - Change orders will be subject to DoE approval.
- Kerry ETB, on November 15<sup>th</sup>, 2021, received a copy of a letter issued from VCL to the Design Team Lead in relation to material/input cost increases associated with the project following commencement on site.
- By way of background, tenders for the project were returned on November 11<sup>th</sup>, 2020. Following completion of the reserved specialist tender competitions and obtaining approval from the DoE, Kerry ETB received formal approval to appoint VCL on March 22<sup>nd</sup>, 2021.
- Oppermann Associates to date have received several claim notifications under clause 10.3 of the contract concerning material price increases, which have been rejected as there is presently no mechanism within the Public Works contract to address this matter. Matters concerning these claims may, if required, be referred to the Project Board and Standing Conciliator for determination. Ultimately, Kerry ETB will require approval for the DoE for any change orders.
- The letter from VCL, received November 15<sup>th</sup>, 2021, referenced convening a meeting between stakeholders under Clause 4.1 (Co-Operation Clause) of the PwCF1 – Public Works Contract for Building Works Designed by the Employer contract.
- Following review of the matter and advice received from the Standing Conciliator and Design Team Lead a meeting between the ETB and VCL under Clause 4.1 (Co-Operation Clause) was convened on November 24<sup>th</sup>

	<p>2021, with the meeting chaired by Mr. John Hughes (Standing Conciliator Rogerson &amp; Reddan), the meeting was held on a without prejudice basis.</p> <ul style="list-style-type: none"> <li>➤ After this meeting Kerry ETB wrote to the DoE, on November 17<sup>th</sup> 2021, seeking advice and feedback from the DoE in relation to this matter.</li> <li>➤ Kerry ETB understands that the issues being experienced by the main contractor is not project-specific and feedback from the DoE suggests that guidance to contracting authorities (Kerry ETB) will be forthcoming in the near future. Kerry ETB awaits a reply from the DoE in this regard.</li> <li>➤ A site meeting took place with the Design Team and Main Contractor, on-site, on November 17<sup>th</sup> 2021. Technical workshops are also undertaken bi-weekly via video conference.</li> <li>➤ A monthly meeting has been arranged with school management and the Directorate in relation to the transition program and plan re procurement of loose furniture and equipment.</li> <li>➤ Bi-Weekly meetings have been arranged with school management to ensure updates are provided on all matters associated with the project, as well as monthly meetings commencing December 8<sup>th</sup>, 2021, between the school management and Design Team lead.</li> </ul> <p>Overall it was noted that due to COVID and the current market conditions in relation to materials and labour supplies schedules have been somewhat affected.</p> <p>Cllr. Deirdre Ferris complimented the work that is ongoing in relation to this project.</p> <p>The Board welcomed this update.</p> <p><b><u>Listowel School Accommodation Update</u></b> (Item 4.2)</p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O'Sullivan addressing the following:</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB continues to liaise and follow up with the DoE in relation to the post-primary school extension and overall campus development. As addressed previously, on May 19<sup>th</sup>, 2021, Kerry ETB submitted a detailed extension application to the DoE outlining the requirements of the school and rationale for consideration.</li> <li>➤ The extension application was submitted on the basis of FET provision in Listowel relocating to the new premises purchased by Kerry ETB.</li> </ul> <p>In addition, two projects commenced under the Emergency Works Scheme at the school during Summer 2021 were finalized during the October mid-term break. This represents an investment of c. €180,000 within the school.</p> <p>The Board noted this update.</p>
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**Listellick National School Building Project Update** (Item 4.3)

An update was provided by the Buildings Officer, Mr. Pádraig O'Sullivan addressing the following:

- Works have progressed well on-site during November and are in line with the contractor's programme. All sub-structure works are complete to include storm and foul water drainage. Floor slabs have been poured throughout the building, block work completed to eye level and room setting out complete.
- A site meeting took place with the Design Team and Main Contractor on-site on November 17<sup>th</sup>, 2021.
- An event to bless the school site was arranged by the BOM of Listellick National School and took place on November 12<sup>th</sup>, 2021, the Building Officer attended on behalf of Kerry ETB.
- Bi-Weekly meetings have been arranged with school management to ensure updates are provided on all matters associated with the project as well as discussing matters in relation to the procurement of loose furniture and equipment.
- Kerry ETB at present expects a substantial completion by October 2022.

The Board welcomed this update.

**Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate boundary issue update** (Item 4.5)

An update was provided by the Buildings Officer, Mr. Pádraig O'Sullivan addressing the following:

- As advised at the ETB Board Meeting on September 29<sup>th</sup> 2021 MRW Solicitors have been in ongoing communication with SCP legal agents in addressing the matter of the boundary mapping.
- In a letter issued to SCP Legal Agents on May 7<sup>th</sup> 2021, Kerry ETB legal agents stated that Kerry ETB will, if necessary, make an application to the Land Registry to secure its registration either by way of rectification of boundaries or by way of application for registration based on possession. To date, Kerry ETB have not received a reply to this letter.

Kerry ETB have been advised that the property remains "sale agreed" to a third party.

The update as presented was noted.

**Capital and Buildings Report – Project Update (as circulated)**  
**Ongoing Projects**

The Capital and Buildings Report – Project Update, as circulated with the meeting Agenda, was noted by the Board, and addressed projects in the following locations:

- Castleisland Community College
- Killarney Community College
- Killorglin Community College

- Causeway Comprehensive School – extension
- Coláiste Gleann Lí
- Coláiste na Sceilge
- Scoil an Ghleanna
- Knocknagoshel National School
- St. Oliver’s National School, Killarney
- An Tóchar Further Education Centre
- Kenmare Further Education Centre
- O’Connell Further Education Centre
- Kerry College Clash Campus

#### **Capital and Buildings Report – Land and Leases (as circulated)**

The Capital and Buildings Report – Land and Leases, was circulated with the meeting Agenda, was noted by the Board and addressed the following:

- Kerry ETB Seal
- Lease Applications
- Lease approvals
- Licence Agreement– Kerry County Board Pitch at Tralee Regional Sport & Leisure Complex
- Tahilla CNS
- Killorglin Community College – Sports Complex Update
- Causeway Comprehensive School Land Swap
- Property at Convent Road, Listowel

#### **Killarney FET Accommodation Update** (Item 4.8)

An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan addressing the following:

- The ETB is currently engaging with SOLAS on the matter and intends to complete a high-level proposal for submission to SOLAS and the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) re the proposed acquisition and development of the “Sara Lee Site” in Killarney as the Kerry College Killarney Campus. The plan for the New Campus will focus on the amalgamation of all existing Kerry ETB FET provision in Killarney, the New Campus will also focus on providing state of the art facilities for training and education in the fields of Hospitality, Culinary and Tourism. The Campus would provide a major hub for the delivery of the full range of apprenticeships providing Killarney with the full capacity for training in the fields of Engineering and Sustainability Technologies.
- As advised at the ETB Board meeting on October 26<sup>th</sup>, 2021, Kerry ETB has received the preliminary cost plan and the proposed, estimated cost of the development of the site is in the range of c. €17m to €20m. The preliminary nature of these costs was highlighted as the full extent of costs could not be ascertained until the completion of a full detailed business case etc.

On December 7<sup>th</sup> 2021, Kerry ETB received communication from ETBI in relation to new draft Funding Applications for SOLAS Funded Capital Projects. The Documents outlined the application process as follows:

- Template 1: Draft Doc Strategic Infrastructure Upgrade Fund (SIUF) Application Form and Business Case (Projects up to €5 Million)
- Template 2: Draft Doc Strategic Assessment Report (SAR) Template (Projects greater than €5 Million)

As the proposed project for the establishment of a Killarney Campus will be in excess of €17 Million Kerry ETB will be required to submit a SAR to SOLAS for consideration by January 24<sup>th</sup> 2022.

Kerry ETB, on December 9<sup>th</sup> 2021, met with Mr. David Doyle, Senior Engineer for Killarney Municipal District and Ms. Maria Ni Cheallaigh Strategic Projects Kerry County Council in relation to the ETB proposal for the Sara Lee Site. Initial feedback from Kerry County Council has been positive re the proposal.

Work is ongoing re this proposal and a further update will be provided at the January Board meeting.

The Board welcomed this update.

**Lands at Cloonmore, Tralee Update** (Item 4.9)

An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan addressing the following:

- On December 6<sup>th</sup> 2021, Kerry ETB received notice from An Bord Pleanála of the decision to refuse planning permission for the proposed housing development.
- The decision to refuse outlined the reasons for the decision and included reference to the “access road” and submissions received.

The Board noted this update.

**Anaerobic Digestion Facility Causeway Update** - (Item 4.10)

The following update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan:

- From review of the planning file no further communication/application has been received in respect of the proposed development.

The Board noted this update.

**Pre-school at Two Mile CNS Update**

The following update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan:

- As advised at the ETB Board meeting, on October 26<sup>th</sup> 2021, the school anticipates an increase in enrolments for September 2022, resulting in a

	<p>rise from a two to a three teacher school. This increase will require the use of the third classroom within the school in September 2022, which is currently utilised by the pre-school.</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB, through adverts placed in Kerry's Eye and The Kerryman newspapers on September 8<sup>th</sup> and 9<sup>th</sup> 2021 respectively, sought expressions of interest from childcare providers for the provision of this service on the school site from September 2022. This advert set out that applicants would have to provide a prefab on the school site to accommodate the pre-school.</li> <li>➤ Following assessment, of applications, the successful applicant was notified by letter on November 25<sup>th</sup> 2021.</li> <li>➤ Kerry ETB are preparing a planning application for a prefab on the school site to accommodate the pre-school from September 2022, the costs of the planning application and development works will be borne by the pre-school provider. It is anticipated the planning application will be submitted before Christmas 2021.</li> <li>➤ Kerry ETB in a letter to the Diocese of Kerry, on August 17<sup>th</sup>, 2021, sought approval for the location of a pre-school on the school site. Kerry ETB requires consent from the Diocese as per our subsisting lease agreement for the Community National School.</li> <li>➤ Commensurate with the costs associated with establishing the pre-school on-site in prefabricated accommodation, Kerry ETB would seek to issue a lease, for this area, in the region of 10 years from September 2022, subject to ETB Board and DoE approval.</li> </ul> <p>The Board were advised that in accordance with the DOE's <i>Guidelines on the Use of School Buildings Outside of School Hours</i>, funding provided by the Department of Education for schools cannot be used on rooms or prefabs being rented by a pre-school and the priority for schools is mainstream educational provision for pupils.</p> <p>The Board Members noted the clarification and update.</p> <p><b><u>Tahilla CNS and Scoil an Ghleanna Pobail Scoil Náisiúnta Lease Update</u></b></p> <p>The following update was provided by the Buildings Officer, Mr. Pdraig O'Sullivan:</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB, on November 29<sup>th</sup> 2021, received updated leases from MRW Solicitors in respect of both properties which now includes the two additional special conditions requested by the DoE, which are as follows:       <ol style="list-style-type: none"> <li>i. If the DoE or "the incoming patron" deem an extension necessary in respect of the Lease term, on account of significant capital investment, the Lease can be extended on terms similar to those in the Lease itself, and the rent would be reviewed every 5 years during that extended term.</li> <li>ii. If the Diocese of Kerry opts to sell the property in the future, then the Department "or the incoming patron" shall have the right of first refusal "at the then open market value for the property".</li> </ol> </li> </ul>
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- Kerry ETB awaits a reply from the DoE in relation to finalising the leases for Tahilla CNS and Scoil an Ghleanna.

The Board noted this update.

### **Kerry ETB Seal**

In November 2021, Kerry ETB placed an order for a replacement "Seal" as the original seal had worn down. A replacement seal was ordered on November 10<sup>th</sup>, 2021 and was received by Kerry ETB Head Office on November 17<sup>th</sup> 2021. The original seal has been sent to "DGD Shredding Services" for disposal. DGD will provide a certificate of destruction for the seal.

The Board noted this update.

### **Land & Leases**

#### **Lease Agreement for Approval**

#### **Unit 5, Monavalley Industrial Estate, Tralee (FET)**

Board approval is being sought for the following lease renewal at Unit 5, Monavalley Industrial Estate, Tralee. The proposed lease will allow the college continued use of the premises for the provision of stonemasonry courses etc. The present lease falls for renewal on December 31<sup>st</sup>, 2021, and the landlord John Dillane has agreed to the renewal on the same terms, subject to Board and DFHERIS approval.

The terms of renewal are as follows:

- Area: 3,500 sq. ft.
- Rental: €24,600 including VAT (€7.02 per sq. ft.)
- Duration: 5 years lease
- Term: January 1<sup>st</sup>, 2022, to January 1<sup>st</sup> 2027

The Board considered the lease proposal and approved the lease as per the terms above, subject to DFHERIS sanction under DoES Circular 39/2011 and DPER Circular 17/2016.

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

**Seconded: Cllr. Deirdre Ferris**

#### **Rice House, Goat Street, Dingle (FET)**

Board approval is being sought for a lease renewal at Rice House, Goat Street, Dingle. The proposed lease will allow the Further Education and Training Centre continued use of the premises. The ETB's current lease is up for renewal on 20<sup>th</sup> December 2021. This lease has an option to renew as a clause within the lease.

Members were advised that Rice House has transferred to new ownership and MRW Solicitors has written to the new owners' solicitors, namely Lynch

and Bradley, Killarney and given them a copy of the notice of our intent to renew. MRW Solicitors, on November 8<sup>th</sup>, 2021, received a letter in relation to the lease renewal advising that if the option to renew is being exercised then the rent will be reviewed. The new owner is prepared to grant a new lease subject to a rent increase of 5%, increasing the rent cost to €2,800 per month. This would result in the overall rent for the premises rising from €32,000 to €33,600 per annum. All correspondence between the solicitors advised agreement is subject to Board and DFHERIS approval.

The terms of renewal are as follows:

- Area: 3,420 sq. ft.
- Rental: €33,600 (VAT not applicable)
- Duration: 5 years lease
- Term: 20<sup>th</sup> December 2021 to 20<sup>th</sup> December January 2026

The Board considered the lease proposal and approved the lease as per the terms above, subject to DFHERIS sanction under DoES Circular 39/2011 and DPER Circular 17/2016.

**Proposed: Cllr. Jim Finucane**  
**Seconded: Cllr. Terry O'Brien**

The CEO advised that the ETB has been invited and will be attending a meeting with Kerry County Council and Údarás na Gaeilge, on January 10<sup>th</sup>, 2022, at which the potential development of the old Dingle Hospital will be discussed. The proposed redevelopment of this building may provide alternative accommodation for the ETB, allowing for more courses to be provided in the area. This update was noted.

**Tralee CDP, The Rock Business Centre, Rock Street, Tralee (FET)**

Board approval is being sought for the renewal of the lease at Tralee CDP, The Rock Business Centre, Rock Street Tralee.

The terms of renewal are as follows:

- Area: c.3200 sq. ft.
- Rental: €43,000 per annum (VAT not applicable).
- Duration: 1 year
- Term: January 1st 2022 to December 31<sup>st</sup> 2022

It is presently Kerry ETB's intention to vacate the premises at the Rock Business Park by December 2022. Following completion of the construction of the Gaelcholáiste Chiarraí Campas Nua. The ETB will undertake refurbishment works to the premises at Moyderwell Tralee and relocate Youthreach provision to this location upon completion of the refurbishment works. The Moyderwell Tralee building is in the ownership of the ETB.

	<p>The Board considered the lease proposal and approved the lease as per the terms above, subject to DFHERIS sanction under DoES Circular 39/2011 and DPER Circular 17/2016.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Niall O'Callaghan</b></p> <p><b><u>Duchas House, Edward Street, Tralee</u></b></p> <p>It was explained to the Board that Kerry ETB at their Board meeting on March 30<sup>th</sup> 2021 approved the lease of premises at Duchas House, Edward Street, Tralee for the proposed relocation of Tralee Youthreach from the Tralee CDP building. However, as agreement could not be reached with the landlord re fit-out and refurbishment costs, Kerry ETB did not proceed with the lease of the property at Duchas House, Edward Street, Tralee. As addressed above the lease at Tralee CDP is being renewed for 2022. MRW Solicitors have advised the owner of Duchas House, Edward Street, Tralee that the ETB is not proceeding with the lease.</p> <p>The Board noted that Kerry ETB would not be proceeding with the lease of Duchas House.</p> <p><b>Licence Agreement for Approval</b> <b>Kerry Ladies Football Association</b></p> <p>The Board of Management of Killarney Community College, at their meeting on December 2<sup>nd</sup>, 2021, approved the following Licence Agreement in line with Kerry ETB's Policy on Guidance to Schools/Centres on the use of Kerry ETB premises by Third Parties:</p> <p><b>Kerry Ladies Football Association – use of Gym, Pitch and Hall for underage intercounty training</b></p> <ul style="list-style-type: none"> <li>➤ Term: December 1<sup>st</sup>, 2021, to June 30<sup>th</sup>, 2022</li> <li>➤ Terms of Use: Mon to Fri (5pm – 9pm) Weekends (9am – 6pm)</li> <li>➤ Licence Fee €30 per hour (Gym Rental) €40 per hour (Pitch Rental)</li> </ul> <p>This licence agreement was approved.</p> <p style="text-align: center;"><b>Proposed: Cllr. Norma Moriarty</b> <b>Seconded: Cllr. Terry O'Brien</b></p>
7.3	<p><b>Schools, Youth &amp; Music (SYM) Update – Director of SYM</b></p> <p>The SYM Report, as circulated with the meeting Agenda, was noted by the Board. The Report addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Inspections</li> <li>➤ COVID-19 Update</li> <li>➤ General Updates</li> </ul>

- CPD Updates
- AONAD Killarney Update
- Parent Nominees to ETB Board
- Wellbeing Coordinator Update
- Youth Development Office
- Kerry Local Creative Youth Project
- Music Generation

**Update re All-Irish post-primary provision in Killarney (Aonad Lán Gaeilge – Killarney) (Item 4.7)**

The Director of SYM, Ms. Ann O’Dwyer provided the following update:

- A parents’ webinar re: Aonad in Killarney took place on 23<sup>rd</sup> November 2021.
- There were 35 attendees.
- Fourteen (14) individuals volunteered to be part of an Advisory Committee for setting up the Aonad in Killarney Community College.
- It is proposed to proceed with Aonad in Killarney with a start date of September 2023 provisionally set.

The Board welcomed this update.

**Gaelscoil Lios Tuathail**

An update was provided by the Director of SYM as follows:

- Following the discussion and concerns raised at the November Kerry ETB Board Meeting, Kerry ETB and the Kerry Diocese have set up a working group regarding the building developments and ongoing campus management in the Listowel campus.
- Membership of the group:
  - Patron representatives:* Ms. Ann O’Dwyer, Kerry ETB, Mr. Shane O’Donoghue, Kerry Diocese;
  - Schools representatives:* Ms. Iseult Glynn, Coláiste na Ríochta, Ms. Séana Ní Chuain, Gaelscoil Lios Tuathail;
  - BOM representatives:* Cllr. Aoife Thornton, Gaelscoil Liostuathal, Mr. Noel Keenan, Colaiste na Ríochta.
- The group has agreed a Terms of Reference and the overall purpose of the group is:
  - to create a forum of shared communications and cooperation between the two schools, as they occupy a shared campus,
  - to examine and address issues of mutual interest for both schools as the planning and execution of the campus building project commences.
  - to identify and address any health and safety issues for pupils/students or staff as a priority.

While there are ongoing traffic management considerations it is envisaged that these will be addressed by the working group structure.

	<p>It has also agreed that in the event of a vacancy arising in the Gaelscoil BOM, this would be filled by a Coláiste na Ríochta representative and when a new BOM is being established in two years' time, Coláiste na Ríochta will be invited to nominate a rep.</p> <p>The Board Members welcomed this update and both Cllr. Aoife Thornton and Ms. Maria O’Gorman thanked all involved and noted the progress that had been made in relation to ensuring that communications between the two patrons is effective.</p> <p>Some queries were raised in relation to the future of the site and it was noted, given the imminent purchase of the independent building for the FET accommodation, the site will be exclusively available for the post-primary school and Gaelscoil Lios Tuathail. This has been communicated to the DoE.</p>
7.4	<p><b>Further Education and Training (FET) Update</b> As addressed in 1.1 above attendance apologies were received from the Director of FET.</p> <p>The FET Report, as circulated with the meeting Agenda, was noted by the Board. The Report addressed:</p> <ul style="list-style-type: none"> <li>➤ COVID-19 Incident Reports</li> <li>➤ CAO FET Pilot Project: <ul style="list-style-type: none"> <li>➤ CAO Process FET</li> <li>➤ Vision and Purpose</li> <li>➤ Entry requirements</li> <li>➤ Name conventions</li> <li>➤ Key dates</li> <li>➤ Project in numbers</li> <li>➤ CAO FET Portal</li> <li>➤ FETCH.ie (Further Education and Training Course Hub) School Leavers Page</li> <li>➤ Generation Apprenticeship</li> <li>➤ Applicant Journey</li> </ul> </li> </ul> <p><b><u>Update re the English Language requirements for some Kerry ETB FET courses</u></b> (Item 4.6) As the Director of FET, Mr. Owen O’Donnell was unable to attend the meeting, this matter was deferred to the next Board meeting.</p> <p><b>South Kerry Youthreach</b> As the Director of FET, Mr. Owen O’Donnell was unable to attend the meeting, this matter was addressed by the Director of SYM, Ms. Ann O’Dwyer as follows:</p>

	<p>A meeting took place involving the Director of SYM, Director of FET, Coláiste na Sceilge Principal, O'Connell FET Centre Manager, Killorglin VTOS Co-Ordinator, Adult Education Officer (AEO) with responsibility for FET Centres and the AEO with responsibility for Youthreach. It was confirmed, that based on the present information, there is currently insufficient demand for Youthreach provision in Caherciveen. It was agreed that a Kerry ETB cross pillar working group would be established to ascertain the potential demand for Youthreach provision in Caherciveen for September 2022.</p> <p>The Board welcomed this update.</p>
7.5	<p><b>Organisation Support and Development Update – 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>
7.6	<p><b>Chief Executive Officer's (CEO) Update – CEO</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>➤ Matters Arising</li> <li>➤ Annual DoE Review Meeting</li> <li>➤ Head Office COVID-19 Update</li> <li>➤ COVID-19 Arrangements</li> <li>➤ KDYS Mediation Agreement</li> <li>➤ Building Acquisition Listowel</li> <li>➤ Tralee Community Training Centre CLG</li> <li>➤ ETB Board Information</li> <li>➤ Tralee Regional Sports and Leisure CLG</li> <li>➤ Kerry ETB and MTU South Campus Acquisition Proposal</li> <li>➤ Love Your County Photo Competition 2021</li> </ul> <p><b><u>KDYS Mediation Agreement</u></b> The CEO advised that the mediation agreement had been signed by KDYS and received by Kerry ETB on December 10<sup>th</sup>, 2021. The Head of Finance, Mr. Tommy Conroy outlined that following confirmation from Kerry ETB's legal agents that the agreement was in order and having received DPER approval the agreed mediation payment to KDYS will be made on December 17<sup>th</sup> 2021.</p> <p>The Board welcomed the progress that had been made in 2021 in respect of same.</p> <p><b><u>Tralee Regional Sports and Leisure CLG</u></b> The Board noted that the AGM of Tralee Regional Sports and Leisure CLG is scheduled to take place on Wednesday, December 15<sup>th</sup> 2021, at 5.00pm.</p>

7.7	<b>Members' Business</b> There was no Members Business.
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12/2021/8	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.

12/2021/9	<p style="text-align: center;"><b>ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH</b></p>
	<p>The Director of OS&amp;D, Ms. Maria Brennan advised that Head Office would be closing at 1.00pm on Thursday, December 23<sup>rd</sup>, 2021 for the Christmas break.</p> <p>The CEO thanked the team involved in the production of the Kerry ETB 2022 calendar. The photos were sourced from a Kerry ETB photo competition themed 'Love your County'. The calendars will be distributed to Board Members in the new year.</p> <p>It was also noted that Kerry ETB Christmas Cards, designed by Jessica Heaphy, a 5<sup>th</sup> year student at Coláiste na Ríochta, will be issued later this week.</p> <p>An Cathaoirleach wished the Board Members, Senior Management and Staff across the ETB a happy Christmas and thanked them for their contribution throughout 2021, a year dominated by COVID and the impact of same.</p> <p>The CEO thanked An Cathaoirleach, the Board Members and Staff involved for their work and support in preparing for the Board meetings in 2021. He wished all a happy and peaceful festive break.</p> <p>It was noted that the next Board Meeting will take place Tuesday, January 25<sup>th</sup> 2021.</p> <p><b>Next Kerry ETB Board Meeting:</b></p> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <p><b>Tuesday, January 25<sup>th</sup> 2022</b> at <b>4.15pm</b></p> </div>

Signed/Sínithe: \_\_\_\_\_

Date/Dáta: \_\_\_\_\_