

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

**Minutes** of the Kerry Education and Training Board (Kerry ETB) meeting held in person and via video conference (V)<sup>1</sup> on Thursday, March 31<sup>st</sup> 2022.

**In Attendance:**

Cllr. Jim Finucane  
Cllr. Deirdre Ferris  
Ms. Joan McCrohan  
Ms. Tara Donoghue (V)  
Cllr. Terry O'Brien (V)  
Cllr. Fionnán Fitzgerald (V)  
Cllr. Johnnie Wall (V)  
Mr. Tim Daly (V)  
Mr. Joseph Brennan (V)

Cllr. Niall O'Callaghan  
Ms. Maria O'Gorman  
Mr. Niall Lucey  
Cllr. Norma Moriarty (V)  
Cllr. Aoife Thornton (V)  
Cllr. Marie Moloney (V)  
Cllr. Cathal Foley  
Ms. Celia O'Shea (V)

Mr. Colm Mc Evoy, Chief Executive Officer (CEO)(V), Ms. Maria Brennan, Director of Organisation Support and Development (OS&D)(V), Mr. Owen O'Donnell, Director of Further Education and Training (FET)(V), Ms. Ann O'Dwyer, Director of Schools, Youth and Music (SYM)(V), Ms. Aileen O'Connor, Head of Corporate, Capital and Technology (V), Mr. Tommy Conroy, Head of Finance (V), Ms. Betty Corkey, Head of Human Resources (HR)(V), Mr. Pdraig O'Sullivan, Buildings Officer (V), Ms. Patricia Tierney, Staff Officer, Ms. Karen Griffin, Executive Support (V) and Ms. Catherine Horgan, Executive Support (V) 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. An Cathaoirleach asked Board Members to verbally declare any conflicts of interest before commencing with the meeting.**

03/2022/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
<b>1.1</b>	<b>Apologies/Leithscéalta:</b> ➤ Mr. Zaid Kassoob
<b>1.2</b>	<b>Condolences/Comhbhrón:</b> An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to: ➤ To Ms. Mairead Corridan, Castleisland Community College, on the death of her Father, Mr. Paddy Corridan. ➤ To Ms. Patricia Devine, Gaelcholáiste Chiarraí, on the death of her Uncle, Mr. Maurice Quirke. ➤ To Ms. Karen Griffin, Head Office, on the death of her Aunt, Ms. Gillian Kennington.

<sup>1</sup> Virtual attendance

	<ul style="list-style-type: none"> <li>➤ To Ms. Catherine Horgan, Head Office, on the death of her Uncle, Mr. Jeremiah Kelliher.</li> <li>➤ To the O'Shea Family on the death of Mr. Leo O'Shea, retired Teacher, Waterville.</li> </ul>
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<b>03/2022/2</b>	<b>CONGRATULATIONS COMHGHAIRDEAS</b>
<b>2.1</b>	<p><b>Congratulations/Comhghairdeas:</b> Congratulations to:</p> <ul style="list-style-type: none"> <li>➤ The Gaelcholáiste Chiarraí basketball team and coaches who won the U19B Schools League Final to be crowned the All-Ireland Schools League Basketball Champions 2022.</li> </ul>

<b>03/2022/3</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 22<sup>nd</sup> 2022, were adopted and signed.</p> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Ms. Maria O’Gorman</b></p>

<b>03/2022/4</b>	<b>MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ</b>
	<p>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:</p>
<b>4.1</b>	<b>Gaelcholáiste Nua School Building Project Update</b> – see <i>Capital and Buildings Report (Section 7.2)</i>
<b>4.2</b>	<b>Listowel School Accommodation Update</b> – see <i>Capital and Buildings Report (Section 7.2)</i>
<b>4.3</b>	<b>Listellick National School Building Project Update</b> – see <i>Capital and Buildings Report (Section 7.2)</i>

4.4	<b>Update re All-Irish post-primary provision in Killarney</b> – see <i>Schools Youth and Music (SYM) Report (Section 7.3)</i>
4.5	<b>FET Provision in Killarney Update</b> – see <i>Capital and Buildings Report (Section 7.2)</i>
4.6	<b>Kerry ETB Logo New Design Development</b> - see <i>Chief Executive Officer’s Report (Section 7.6)</i>

03/2022/5	<b>EDUCATION AND TRAINING TOPICS FOR DISCUSSION</b> <b>ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ</b>
5.1	<p><b>Kerry ETB Response to Ukrainian Refugees in Kerry – as circulated</b></p> <p>The Director of FET, Mr. Owen O’Donnell and the Director of SYM, Ms. Ann O’Dwyer, provided a comprehensive update on the Kerry ETB response to Ukrainian refugees arriving in the county. Copies of the presentations were circulated to the Board Members in advance of the meeting. The updates addressed the work ongoing since March 18<sup>th</sup> 2022, in addressing the Primary, Post Primary and Further Education and Training needs of the Ukrainian refugees arriving in Co. Kerry.</p> <p>In summary, the work ongoing is as follows:</p> <p>Further Education and Training:</p> <ul style="list-style-type: none"> <li>➤ Determining English language proficiency (referrals where required)</li> <li>➤ Proficient English language - seeking upskilling/retraining or qualifications</li> <li>➤ Proficient English Language – job ready/job matching /referral</li> </ul> <p>Schools, Youth and Music:</p> <ul style="list-style-type: none"> <li>➤ Establishing Regional Education And Language Teams (REALT). ETBs have been asked to host and provide administrative support for these teams. In this regard, the ETB has established a dedicated email address: REALT@kerryetb.ie and circulated a dedicated phone number to deal with queries for this team.</li> <li>➤ The work of the RELAT team includes: <ul style="list-style-type: none"> <li>• Aligning current school capacity with the placement of Ukrainian families as much as possible.</li> <li>• Identifying additional capacity within their geographic areas to prepare for situations where demand may exceed available school capacity, and work with the Department and other organisations as necessary with a view to making this additional capacity available.</li> </ul> </li> </ul> <p>Members were advised that Kerry ETB are represented on Kerry County Council’s local Community Response Forum. The primary purpose of the Community</p>

	<p>Response Forum is to provide a coordinated response to support refugees arriving from Ukraine.</p> <p>Board Members commended the ETB and staff on the rapid response to the Ukrainian crisis.</p> <p>A further update will be given at the next Board meeting.</p>
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<b>03/2022/6</b>	<b>GOVERNANCE RIALACHAS</b>						
<b>6.1</b>	<p><b>Risk Management Update</b> Risk Management Update will be addressed at the next Board meeting as agreed with An Cathaoirleach.</p>						
<b>6.2</b>	<p><b>Internal Controls/Assurances Update</b> The Director of OS&amp;D, Ms. Maria Brennan, addressed the following in respect of the ETB’s control framework:</p> <p><b>CEO and Wider Management:</b></p> <ul style="list-style-type: none"> <li>➤ Part two of the Line Management In-Service programme recommenced with a session dedicated to Procurement (fixed assets on the P2P system) on March 28<sup>th</sup> 2022. Sessions to follow include financial management and buildings, estate and facilities management.</li> <li>➤ Feedback from the team building event for senior line management, which took place on March 2<sup>nd</sup> 2022, has been very positive. The event, which was titled “Reconnecting”, focused on relationships across the scheme’s pillars, discussing opportunities for new cross Directorate area initiatives, reaffirming our relationship with our missions/core values, addressing the new ETB Strategy (2023-2027) development etc.</li> </ul> <p>The Board noted this update.</p>						
<b>6.3</b>	<p><b>Section 44 Committee Minutes – for approval</b> The minutes of the following Section 44 Committee meetings were noted and formally approved by the Board:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #4f81bd; color: white;">Section 44 Committee</th> <th style="background-color: #4f81bd; color: white;">Meeting Date</th> </tr> </thead> <tbody> <tr> <td>Two Mile Community National School (CNS)</td> <td>November 15<sup>th</sup> 2021</td> </tr> <tr> <td>Tahilla CNS</td> <td>November 16<sup>th</sup> 2021</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b></p>	Section 44 Committee	Meeting Date	Two Mile Community National School (CNS)	November 15 <sup>th</sup> 2021	Tahilla CNS	November 16 <sup>th</sup> 2021
Section 44 Committee	Meeting Date						
Two Mile Community National School (CNS)	November 15 <sup>th</sup> 2021						
Tahilla CNS	November 16 <sup>th</sup> 2021						

**Seconded: Cllr Deirdre Ferris**

Section 44 Committee	Meeting Date	Board Member in Attendance
Castleisland Community College	December 2 <sup>nd</sup> 2021	Cllr. Fionnán Fitzgerald, Tim Daly
Causeway Comprehensive School	October 18 <sup>th</sup> 2021	Cllr. Aoife Thornton, Maria O’Gorman
	December 13 <sup>th</sup> 2021	Maria O’Gorman
Coláiste Gleann Lí	June 3 <sup>rd</sup> 2021	Joan McCrohan
	June 3 <sup>rd</sup> 2021	Joan McCrohan
Coláiste na Ríochta	May 17 <sup>th</sup> 2021	Celia O’Shea, Maria O’Gorman
Gaelcholáiste Chiarraí	September 15 <sup>th</sup> 2021	Cllr. Fionnán Fitzgerald, Maria O’Gorman
Killarney Community College	December 1 <sup>st</sup> 2021	Cllr. Marie Moloney, Zaid Kassoob

**Proposed: Ms. Joan McCrohan**  
**Seconded: Cllr. Aoife Thornton**

Section 44 Committee	Meeting Date	Board Member in Attendance
Youth Work	October 21 <sup>st</sup> 2021	Cllr. Norma Moriarty, Cllr. Marie Moloney

**Proposed: Ms. Joan McCrohan**  
**Seconded: Cllr. Niall O’Callaghan**

6.4

**Section 44 Committee – Appointments and Vacancies**

The following Section 44 Committee Appointments were made by the Board:

Section 44 Committee	Nominee	Category
Coláiste na Ríochta	Suzanne Lynch	Staff Representative
Music Generation	Bernie O’Carroll	BOM/Community Nominee

**Proposed: Cllr. Deirdre Ferris**  
**Seconded: Ms. Celia O’Shea**

6.5	<p><b>Section 45 Committee Minutes for noting</b> Minutes of the following Section 45 Committee Meetings were noted by the Board:</p> <table border="1" data-bbox="427 327 1473 495"> <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>December 16<sup>th</sup> 2021</td> <td>Cllr. Norma Moriarty</td> </tr> <tr> <td>Finance</td> <td>February 17<sup>th</sup> 2022</td> <td>Cllr. Deirdre Ferris, Zaid Kassoob, Joan McCrohan</td> </tr> </tbody> </table>	Section 45 Committee	Meeting Date	Board Members in Attendance	Audit and Risk	December 16 <sup>th</sup> 2021	Cllr. Norma Moriarty	Finance	February 17 <sup>th</sup> 2022	Cllr. Deirdre Ferris, Zaid Kassoob, Joan McCrohan
Section 45 Committee	Meeting Date	Board Members in Attendance								
Audit and Risk	December 16 <sup>th</sup> 2021	Cllr. Norma Moriarty								
Finance	February 17 <sup>th</sup> 2022	Cllr. Deirdre Ferris, Zaid Kassoob, Joan McCrohan								
6.6	<p><b>Minutes of Partnership Schools Board of Management (BOM) Meetings</b> Minutes of the following Partnership Board of Management were noted by the Board;</p> <table border="1" data-bbox="628 725 1270 978"> <thead> <tr> <th>Partnership School</th> <th>Meeting Date</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Scoil Phobail Sliabh Luachra</td> <td>September 13<sup>th</sup> 2021</td> </tr> <tr> <td>December 6<sup>th</sup> 2021</td> </tr> </tbody> </table>	Partnership School	Meeting Date	Scoil Phobail Sliabh Luachra	September 13 <sup>th</sup> 2021	December 6 <sup>th</sup> 2021				
Partnership School	Meeting Date									
Scoil Phobail Sliabh Luachra	September 13 <sup>th</sup> 2021									
	December 6 <sup>th</sup> 2021									
6.7	<p><b>Kerry ETB Policies for Approval</b> The following policy was circulated 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>➤ Revised Thresholds for Procurement 2022</li> </ul> <p>In relation to the revised procurement thresholds, the Director of OS&amp;D advised that the thresholds for procurement were being revised following the introduction of a Central Procurement and Purchasing model, with two centralised purchasing units operating, one in Head Office and one in Kerry College Monavalley Campus, which will be dealing with all procurement for primary, post-primary and FET.</p> <p><b>Kerry ETB Section 44 Building Committee Terms of Reference</b> The following terms of reference were circulated 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>➤ Terms of Reference for the Section 44 Building Committee</li> </ul> <p>The Board approved the policy and terms of reference as presented by the Director of OS&amp;D.</p> <p style="text-align: right;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Ms. Joan McCrohan</b></p>									

6.8	<p><b>Kerry ETB Section 44 Building Committee Structure</b></p> <p>As per the Terms of Reference for the Section 44 Building Committee, approved under <b>Section 6.7</b> above, the structure of the Building Committee will be as follows:</p> <ul style="list-style-type: none"> <li>➤ Four ETB Board Members</li> <li>➤ Three Business/Industry Nominees</li> </ul> <p>The Board noted this update.</p>
6.9	<p><b>Report from the Audit and Risk Committee 2021 as per Section 45 (3) of the ETB Act 2013 – as circulated with the Agenda</b></p> <p>The Chairperson of the Audit and Risk Committee, Mr. John O'Connor, joined the meeting and presented the Audit and Risk Committee Report addressing the Annual Review of the System of Internal Control for 2021 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>
6.10	<p><b>Summary Report of Audit and Risk Committee Meeting held March 1<sup>st</sup> 2022 as per Section 45 (3) of the ETB Act 2013 – as circulated with the Agenda.</b></p> <p>As per Section 45 (3) of the ETB Act 2013, the summary report of the Audit and Risk Committee meeting on March 1<sup>st</sup> 2022, as circulated with the Agenda, was addressed by the Director of OS&amp;D.</p> <p>It was noted that the Audit and Risk Committee is required to report to the Board not less than four times per year.</p> <p>Report noted by the Board.</p>
6.11	<p><b>Report from the Finance Committee 2021 as per Section 45 (3) of the ETB Act 2013 – as circulated with the Agenda</b></p> <p>The Chairperson of the Finance Committee, Mr. Brendan Tuohy, joined the meeting and presented the Finance Committee Report for 2021 as per Section 45(3) of the ETB Act 2013.</p> <p>Following the presentation 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>

6.12	<p><b>Summary Report of Finance Committee Meeting held March 28<sup>th</sup> 2022 as per Section 45 (3) of the ETB Act 2013 – as circulated</b></p> <p>As per Section 45 (3) of the ETB Act 2013, the summary report of the Finance Committee meeting on March 28<sup>th</sup> 2022, as circulated with the Agenda, was addressed by the Director of OS&amp;D.</p> <p>It was noted that the Finance Committee is required to report to the Board not less than four times per year.</p> <p>The report noted by the Board</p>
6.13	<p><b>Draft Financial Statements 2021 as per Section 51 of the ETB Act including Statement on Internal Controls</b></p> <p>In accordance with the provisions of Section 51 of the ETB Act 2013, the draft Financial Statements for 2021 were presented for Board approval by the Head of Finance, Mr. Tommy Conroy. The ETB is required to submit its draft Annual Financial Statements for 2021 to the DoE no later than April 1<sup>st</sup> 2022.</p> <p>The draft Financial Statements incorporate the Statement on Internal Controls (SIC). In line with Circular Letter 0002/2019, the Code of Practice for the Governance of ETBs, the SIC was approved by the Audit &amp; Risk Committee on March 1<sup>st</sup> 2022.</p> <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 March 28<sup>th</sup> 2022. Following this review, the Finance Committee recommended that the draft Financial Statements, incorporating the SIC, be adopted by the Kerry ETB Board.</p> <p>The Board approved the draft Financial Statements for 2021 as presented.</p> <p style="text-align: center;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Ms. Joan McCrohan</b></p> <p>Following approval by the Board, the Financial Statements 2021 were signed by An Cathaoirleach and the CEO. The SIC, incorporated into the Financial Statements, was signed by An Cathaoirleach.</p> <p>It was noted that the approved 2021 Financial Statements will be submitted to the Comptroller and Auditor General as per Section 51(2) of the ETB Act.</p>

03/2022/7	<b>EXECUTIVE UPDATES UASDÁTÚ ÓN BHFEIDHMEANNAS</b>
7.1	<p><b>Finance Update</b> <b><u>Finance Report – Monthly Figures</u></b> The Finance Report up to February 28<sup>th</sup> 2022, as circulated prior to the meeting, was presented by the Head of Finance at the meeting.</p> <p>The report was noted by the Board.</p> <p><b>Head Office Rent Review Update</b> The Head of Finance, Mr. Tommy Conroy, provided the following update:</p> <ul style="list-style-type: none"> <li>➤ A letter issued to the DOE by the Head of Finance on January 20<sup>th</sup> 2022 (as circulated). The letter outlined the background to the Rent Review, the process that had been followed and the progress that had been made and the outcome of the Rent Review.</li> </ul> <p>An email response received from the DoE on Friday, March 11<sup>th</sup> 2022 (as circulated) was addressed by the Head of Finance.</p> <p>The Head of Finance advised that he had responded on March 30<sup>th</sup> 2022, to the DoE’s email of March 11<sup>th</sup> 2022, advising that the matter would be addressed at the ETB Board meeting on March 31<sup>st</sup> 2022 and seeking clarification if the DoE were advising the Board to proceed to arbitration.</p> <p>A further update will be provided at the next Board meeting.</p> <p>The Board noted this update.</p>
7.2	<p><b>Corporate, Capital and Technology (CCT) Update</b> <b>ICT Expenditure – Start of Year Submission 2022</b> The Head of the CCT Department, Ms. Aileen O’Connor, provided an update addressing the following;</p> <ul style="list-style-type: none"> <li>➤ As per the Department of Public Expenditure and Reform’s (DPER) Circular Letter 0002/2016, Arrangements for Digital and ICT-related expenditure in the Civil and Public Service, it is a requirement that proposed expenditure be approved by the Board of the Sponsoring Organisation.</li> <li>➤ The Proposed ICT Expenditure Submission for 2022 is as follows: <ul style="list-style-type: none"> <li>➤ New Projects - €815,536.38</li> <li>➤ Existing Projects - €408,135.83</li> <li>➤ Non-Project - €970,173.91</li> </ul> </li> </ul> <p>The Board approved the submission as presented by the Head of CCT.</p>

**Proposed: Ms. Joan McCrohan**

**Seconded: Cllr. Deirdre Ferris**

### **Health and Safety (H&S) Update**

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

<b>Activity</b>	<b>Update</b>
<b>COVID-19 Measures</b>	<ul style="list-style-type: none"> <li>➤ Head office staff all back to work on-site</li> <li>➤ Mask wearing is optional now in line with Public Health Advice</li> <li>➤ Mask wearing and social distance measures no longer required in schools in line with Public Health Advice</li> </ul>
<b>Policy Development</b>	<ul style="list-style-type: none"> <li>➤ 3-year action plan for health and safety improvement being developed by Egan Safety Solutions to be presented to the Directorate</li> <li>➤ Kerry ETB Safety Committee meeting held on 18<sup>th</sup> February 2022</li> </ul>
<b>Risk Assessment Program</b>	<ul style="list-style-type: none"> <li>➤ Safety inspection program is continuing.</li> <li>➤ Eight Schools and twelve FET Centres have been inspected by the Health and Safety Officer</li> <li>➤ Follow up visits are being carried out in Killarney Community College, Killorglin Community College, Gaelcholáiste Chiarraí, Kenmare FET Centre and O'Connell FET Centre where extra assistance or revision of risk assessments is required</li> </ul>
<b>Training Programme</b>	<ul style="list-style-type: none"> <li>➤ Manual handling and chemical handling training delivered to Kerry College, Killorglin Campus staff on the 15<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> February 2022</li> <li>➤ Manual handling training delivered to O'Connell Centre staff on the 9<sup>th</sup> March 2022 and Kenmare FET Centre staff on the 4<sup>th</sup> March 2022</li> <li>➤ CPD training on Health &amp; Safety delivered to Line Managers in-service on the 14<sup>th</sup> March 2022</li> </ul>

This update was noted by the Board.

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

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

Goal 1 - Staff Engagement:

- An Taisce Litter and Waste Review in progress in Kerry College Campuses
- Biodiversity Workshops for staff in schools and centres, facilitated by Kerry College, Killorglin Campus, scheduled for April 2022

Goal 4 - Energy Sustainability:

- Kerry ETB plan to engage an external company to carry out energy audits in order to meet Kerry ETB's statutory requirements to complete Energy Audits in line with SI 426
- Kerry ETB Sustainability Officer is currently liaising with SEAI to assist in utilising the "Gap to Target" tool issued by SEAI to evaluate Kerry ETB's energy efficiency performance

The Board noted these updates.

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

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

- A site meeting took place with the Design Team and Main Contractor on-site on March 9<sup>th</sup> 2022. The project is behind programme by c. eight weeks, primarily due to delays experienced with the delivery of precast panels to the site as well as the impact of a change of precast installers. Kerry ETB at present expect a substantial completion in Q4 2022.
- The contractor has further advised of continued delays being experienced as a result of supply chain issues as well as continued uncertainty re market conditions associated with material prices, increases in fuel costs associated with the present increase in oil prices for production and delivery of materials to the site.
- The contractor has advised that the continued market conditions may result in a further delay with completion of the project.
- Mechanical and Electrical (M&E) 2<sup>nd</sup> fix on the 1<sup>st</sup>/2<sup>nd</sup> floor level is also advancing well with containment/trunking for the main services runs installed and 1<sup>st</sup> fix to rooms off the corridors ongoing on both levels.
- Kerry ETB awaits the Post Contract Inflation Uplift Report from McGahon Surveyors and Oppermann Associates. The report will include a detailed breakdown of the associated costs, including the material/input cost increases since the project has commenced on site. Once received, the ETB will review the report and submit to the Department of Education (DoE) for approval under the “Burden Sharing Principle”. If approved, this will result in a once-off payment (change order) to (VCL) in relation to material/input cost increases associated with the project following commencement on site.
- Kerry ETB have not yet received this report from McGahon Surveyors and Oppermann Associates but expect it to be issued shortly.

The Board noted this update.

**Collateral Warranties**

An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan, addressing the use of Collateral Warranties which have been executed using the Kerry ETB Seal and are detailed under **Use of the Kerry ETB Seal** on page 17:

- As the value of this project is in excess of €5 million, Kerry ETB, as the employer, entered into a contract with VCL under “PW-CF1 v.2.4 5 June 2019”, including form of tender and schedules.
- As the project is over €10 million, Kerry ETB completed the reserved specialist tenders for mechanical and electrical and nominated these sub-contractors to VCL.
- The reserved specialists were as follows:
  - i. Electrical – David Doyle Electrical Ltd (DDEL)
  - ii. Mechanical - Architectural Steel & Mechanical Services (ASMS)

- This has resulted in the need for Collateral Warranties to be signed between Kerry ETB and DDEL/ASMS.
- Furthermore, VCL, at the start of the contract, issued a “Value Engineering Proposal” to switch from in-situ blockwork to pre-cast panelling construction, which resulted in the appointment of O’Reilly’s Brothers Limited as a sub-contractor to VCL for the supply of precast construction elements, this has resulted in a further collateral warranty being required between Kerry ETB and O’Reilly’s Brothers Limited. While O’Reilly’s Concrete were appointed as the precast concrete supplier, O’Reilly’s Concrete has further sub-contracted the supply of the floor slabs to “Croom Concrete Limited” Therefore, this requires a Collateral Warranty to be completed between Kerry ETB and Croom Concrete Limited.
- The Collateral Warranties have been reviewed by Murphy Ramsey Walsh (MRW) Solicitors, and recommended changes have been adopted by the Design Team, and the finalised Collateral Warranties have now been presented for signing and sealing – please see ‘Use of Kerry ETB Seal’ (Page 20)

The Board noted this update.

**Listowel School Accommodation Update** (Matters Arising 4.2)

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

- As advised at the ETB Board meeting on February 22<sup>nd</sup> 2022, Kerry ETB, in a letter to the DoE, on February 8<sup>th</sup> 2022, confirmed:
  - i. The ETB's agreement with the Schedule of Accommodation (Extension to Coláiste na Ríochta) offered by the DoE within their email of January 17<sup>th</sup> 2022.
  - ii. The ETB's agreement to deliver the combined building project for both Coláiste na Ríochta (1,849m<sup>2</sup>) and Gaelscoil Lios Tuathail (1,900m<sup>2</sup>) as one project. Kerry ETB has agreed to deliver both projects on behalf of the DoE under a Service Level Agreement (SLA) with the DoE.
- Kerry ETB, on March 10<sup>th</sup> 2022, received a letter from the DoE enclosing:-
  - i. SLA for Delivery of Devolved Project
  - ii. Project Budget
  - iii. Project Brief
- The SLA will be signed following the meeting on March 31<sup>st</sup> 2022.
- The overall budget for the project is c. €13,785,000, including VAT and fees.
- Given the proposed density of having both schools on the site, the ETB has been in correspondence with the DoE re the acquisition of the house and lands comprised within folios KY65963F and KY22244. Furthermore, the acquisition could provide a traffic management solution within the school site, which may be required for primary and post-primary school drop off points.
- Kerry ETB, on March 25<sup>th</sup> 2022, received a letter from Mr. Murty Hanly, DoE Site Acquisition and Property Management advising of formal approval in principle for Kerry ETB to proceed with the site assessment and an updated valuation for the site adjacent to Coláiste na Ríochta.
- Kerry ETB will now procure the services of an auctioneer in relation to the assessment and valuation of the proposed site. Once completed, the ETB must

return the report to the DoE for further consideration and final assessment by the DoE.

- A map showing the Kerry ETB lands and proposed lands to be acquired was circulated, with the Agenda, prior to the meeting and was included as part of the presentation at the meeting.

The Board welcomed the progress being made with this project.

In addition, it was noted that the Minister for Education, Ms. Norma Foley visited the school on February 25<sup>th</sup> 2022, to officially announce the project and meet with school management and students.

**Listellick National School Building Project Update** (Matters arising 4.3)

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

- As advised at the ETB Board meeting on February 22<sup>nd</sup> 2022, Kerry ETB, on February 10<sup>th</sup> 2022, received an email from the DoE confirming approval to proceed with an increase of €171,456.78 ex VAT as an adjustment to the contract sum based on the detail contained in the Post Contract Inflation Uplift Report submitted by Kerry ETB, on February 7<sup>th</sup> 2022. Kerry ETB have instructed the Design Team Lead to proceed with the change order as instructed by the DoE.
- A site meeting took place with the Design Team and Main Contractor on-site on March 9<sup>th</sup> 2022. Cahalane Bros Limited remain c. 4-6 weeks behind schedule due to delays experienced with the delivery of materials as well as delays experienced with obtaining block layers on site.
- 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 transition program and plan re procurement of loose furniture and equipment
- Kerry ETB, at present, expects substantial completion and handover by the end of October 2022.
- On March 7<sup>th</sup> 2022, the ETB received notification of change orders from the Design Team Lead Oppermann Associates as follows:-
  - COR No. 1 – Upgrading of BMS Panel in the amount of €3,815.00 ex VAT.
  - COR No. 2 - Additional rock excavation to the sewer on public road in the amount of €4,611.75 ex VAT.
- Kerry ETB, on March 7<sup>th</sup> 2022, received an email from the DoE confirming approval to proceed with the Change Orders as outlined above the ETB has instructed the Design Team to proceed with COR Nos. 1 & 2.

The Board welcomed this update.

**FET Accommodation in Killarney Update**

An update was provided by the Head of CCT, Ms. Aileen O’Connor and the Director of FET, Owen O’Donnell, advising that work is ongoing in the development of the

Strategic Assessment Report (SAR) and regular meetings are being held between Kerry ETB and external Parties to ensure the SAR is submitted in a timely basis. April 8<sup>th</sup> 2022, is the date set by SOLAS for receipt of submissions.

The Board noted this update, and a further update will be provided at the next meeting.

**Capital and Buildings Report – (as circulated)**

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

- Matters Arising
- Current Capital Project Portfolio
- Tralee Educate Together National School
- Castleisland Community College
- Killarney Community College
- Killorglin Community College
- Coláiste Gleann Lí
- Knocknagoshel National School
- St. Oliver’s National School, Killarney
- Unit 1, Listowel Business Development Centre
- O’Connell Further Education Centre
- Kerry College Clash Campus
- Kerry College Admissions Office - Killarney
- Lease extension DoE Sanction
- Lease Applications awaiting DoE Sanction
- Use of the Kerry ETB Seal
- Preschool at Two Mile CNS
- Tahilla and Scoil an Ghleanna Lease Update
- Killorglin Community College – Sports Complex
- Causeway Comprehensive School - Land Swap
- Anaerobic Digestion Facility

**Unit 1 Listowel Business Development Centre, Listowel**

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

- Kerry ETB are finalising a capital application to SOLAS under the Strategic Infrastructure Upgrade Fund (SIUF) for the refurbishment and extension of the premises to accommodate FET Provision. Kerry ETB have appointed Tadhg Casey Architects to aid the ETB with this application and complete elements of the SIUF for submission to SOLAS.
- Kerry ETB have received and approved concept layouts for the proposed extension and have met to issue final feedback to the appointed consultant.
- Kerry ETB will prepare a SIUF Application for the accommodation, which will be submitted by the April 8<sup>th</sup> 2022 deadline.
- The proposed extension is presently being costed by JJ Casey Quantity Surveyors, and it is anticipated the cost of the works be in the region of €4.9 million.

The Board noted this update.

**Preschool at Two Mile CNS Update**

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

- Kerry ETB submitted a planning application, on February 14<sup>th</sup> 2022, for a prefab on the school site to accommodate the preschool from September 2022 (location discussed with the provider at the meeting on December 9<sup>th</sup> 2021 and agreed with the principal in advance).
- MRW Solicitors, on February 10<sup>th</sup> 2022, wrote to the successful applicant's legal agent seeking to formalise the arrangement and has issued a draft lease for consideration by the preschool provider subject to:
  - The successful applicant funding and developing the site for September 2022
  - Kerry ETB obtaining planning permission.
  - The successful applicant complying with building regulations, TUSLA Regulations etc. In relation to the provision of the accommodation on the site.
- On February 28<sup>th</sup> 2022, MRW Solicitors were advised by the Solicitors for the successful applicant that they will not be proceeding with the provision of prefabricated accommodation on the Two Mile CNS Site.
- Following this notification, a meeting was arranged between the successful applicant and Kerry ETB on March 16<sup>th</sup> 2022, to clarify the reasons as to why the provider will not be proceeding with the lease.

The Board noted the update as provided and were advised that Kerry ETB plan to readvertise for a preschool provider at Two Mile CNS.

**Tahilla CNS and Scoil an Ghleanna Pobail Scoil Náisiúnta Lease Update**

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

A letter issued from Kerry ETB CCT Department to Ms. Jill Fannin (Principal Officer DoE) on December 2<sup>nd</sup> 2021, requesting the final approval for Kerry ETB to proceed with the leases. Kerry ETB, on March 2<sup>nd</sup> 2022, received a reply from the DoE in respect of finalising the leases for Tahilla CNS and Scoil an Ghleanna.

The letter of March 2<sup>nd</sup> 2022, consents to Kerry ETB entering into these leases. However, the letter does not consent to the registration in the Land Registry of the lease from St Brendan's Trust in favour of Kerry ETB.

It was noted that this consent is required as the lease being created is for a period exceeding 21 years and it will be necessary for Kerry ETB to register the lease in the Land Registry. Kerry ETB advised the DoE of this registration issue by email on March 8<sup>th</sup> 2022 and awaits their reply in this regard.

The Board was advised that Kerry ETB will not be in a position to finalise the lease until the consents have issued and the ETB continues to engage with the DoE on this matter.

The Board noted this update.

### **Killorglin Community College Update**

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

Kerry ETB, on February 11<sup>th</sup> 2022, received a letter from the DoE in relation to the finalised schedule of accommodation for Killorglin Community College extension. This extension will provide for a long term projected enrolment of 350 students for Killorglin Community College.

Kerry ETB, following consultation with the School Management, has confirmed to the DoE its acceptance of the finalised schedule of accommodation for the proposed extension.

The Board noted and welcomed this update.

In addition, it was noted that the Minister for Education, Ms. Norma Foley visited Killorglin Community College on February 25<sup>th</sup> 2022, to officially announce the project and meet with school management and students.

### **Anaerobic Digestion Facility Causeway Update**

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

- Kerry ETB are aware of a notice of intent to submit a planning application in the Kerry's Eye newspaper by Sandford Energy Limited for the following development in Causeway Co. Kerry:
  - Development Address:
    - *Dromkeen West, Causeway, Co Kerry*
  - Description:
    - *Construct a biogas production plant incorporating: Two digestion tanks, a pre-mix tank and digestate tank, a substrate storage area and slurry storage tank with associated pumps, to construct a building containing a CHP Unit and controls for digestion facility and machinery storage, a concrete underground covered soiled water tank with wheel wash, weighbridge, and biogas fare unit, to construct a water attenuation tank for storm/ rainwater on-site, complete with class 1 oil interceptor/ separator, silt traps, tree-lined boundary fence on earthen bank and all associated site works*
- The application has been validated and given the following reference (Ref: 22/228)
- Deadline for submissions on the planning file is April 6<sup>th</sup> 2022.

The Board was advised that the school is presently reviewing the planning file. The location of the proposed site differs from the previous applications by Sandford Energy Ltd, the new site is located to the northeast, away from the school site.

The Board noted this update.

### **Land & Leases**

#### **Use of the Kerry ETB Seal**

In accordance with Schedule 3, Paragraph (2) of the Education and Training Boards Act 2013, the seal of Kerry ETB was used to execute the following documents;

1. SLA for delivery of Devolved Project between Kerry ETB and the DoE for the Major Devolved Project at Coláiste na Ríochta and Gaelscoil Lios Tuathail.
2. Collateral Warranty between Kerry ETB and David Doyle Electrical Limited (Please refer to Page 14 re Collateral Warranties).
3. Collateral Warranty between Kerry ETB and Architectural Steel & Mechanical Service (Please refer to Page 14 re Collateral Warranties).
4. Collateral Warranty between Kerry ETB and O'Reilly Brothers Limited (Please refer to Page 14 re Collateral Warranties)
5. Collateral Warranty between Kerry ETB and Croom Concrete (Please refer to Page 14 re Collateral Warranties)
6. Lease between Kerry ETB and Liber House Developments with respect to Unit 1A, Liber House, Tralee for Tralee Youthreach - The lease was approved at the ETB Board meeting on February 22<sup>nd</sup> 2022.

This update re the use of the seal was noted.

#### **Killarney Community College - Housing Development on Adjacent Lands**

The following update was provided by the Buildings Officer, Mr. Padraig O'Sullivan:

- Kerry ETB have been made aware of a Strategic Housing Development (SHD) submitted by Portal Asset Holdings on lands north of Killarney Community College
- Details of the planning are available at the following website address <http://www.portroadshd.ie/>
- Kerry ETB previously received a request from Portal Asset Holding to give consideration to pedestrian access through lands owned by Kerry ETB at Killarney Community College
- The matter was discussed at the ETB Board meetings, between March 26<sup>th</sup> and December 3<sup>rd</sup> 2019, in connection with Kerry ETB planning application to Kerry County Council for the construction of an ASD Unit at Killarney Community College Planning Ref 19/813.
- On September 2<sup>nd</sup> 2019, in response to the Kerry ETB planning application Ref 19/813, a submission was made by HW Planning, acting on behalf of Portal Asset Holdings, to Kerry County Council to give consideration to developing a pedestrian access route through our lands as part of this planning process.

- The Board reaffirmed its decision of March 26<sup>th</sup> 2019 meeting at the ETB Board meeting on December 3<sup>rd</sup> 2019 - confirming they were not agreeable to the construction of the proposed pedestrian route through the school site

The Board was advised that Kerry ETB has requested Coakley O Neill Town Planning to review the SHD and advise if the ETB and/or ETB lands are named or referenced as part of the application and any impacts the proposed development may have on ETB lands.

Aiden O Neill, Director of Coakley O Neill Town Planning, has advised that reference has been included within the SHD planning application to the applicant installing pedestrian foot-bridges and connection to Kerry ETB lands at Killarney Community College. He further advised that if the ETB decided to make a planning submission in respect of the SHD, it should do so on the reference by the applicant to connectivity with ETB lands as well as the provision within the landscape and site plan for footbridges over the folly stream to facilitate access to ETB lands. This access was previously not granted by the ETB Board (reference ETB Board decision on March 26<sup>th</sup> and December 3<sup>rd</sup> 2019).

It was noted that the SHD has been submitted directly to An Bord Pleanála for a decision on the planning application, which is due on June 30<sup>th</sup> 2022. The deadline for any submission is April 14<sup>th</sup> 2022 at 5.30 pm.

Following a discussion, the Board confirmed their decision to proceed with a submission on the SHD Planning Application due to the reference to ETB lands within the application.

**Proposed: Cllr. Marie Moloney**

**Seconded: Cllr. Jim Finucane**

#### **Additional Devolved Building Project**

The following update was provided by the Buildings Officer, Mr. Pdraig O'Sullivan, as circulated with the Agenda;

- Kerry ETB CCT Department was contacted, on March 3<sup>rd</sup> 2022, in relation to a request from the DoE Schools Capital Appraisal Section regarding the possible delivery of a new eight classroom Primary School and two classroom SEN Base for Tralee Educate Together National School, on a greenfield site in Lohercannon, Tralee.
- Following review of the request and consultation with An Cathaoirleach by the CEO, Kerry ETB, in a letter to the DoE, on March 4<sup>th</sup> 2022, confirmed Kerry ETB's agreement to deliver the project on behalf of the DoE under an SLA for Devolved Major Projects.
- In recognition of Kerry ETB's commitment to deliver the project, the DoE have indicated that Kerry ETB expects to receive an additional Project Management resource to aid the ETB with the delivery of the project.
- Kerry ETB awaits receipt of the Brief and SLA prior to proceeding with the procurement of a Design Team.

	The Board welcomed and noted this update.
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>➤ Schools Reconfiguration for Diversity – Transfer of Patronage of Primary Schools</li> <li>➤ Minister Jack Chambers launch of Plean Teanga Thrá Lí in Gaelcholáiste Chiarraí</li> <li>➤ Minister Foley’s visit to Coláiste na Ríochta</li> <li>➤ Minister Foley’s visit to Killorglin Community College</li> <li>➤ Minister Foley’s visit to Killarney Community College</li> <li>➤ School Inspections</li> <li>➤ Wellbeing Co-Ordinator Update</li> <li>➤ Youth Development Office</li> <li>➤ Kerry Local Creative Youth Project</li> <li>➤ Music Generation</li> </ul> <p><b><u>Update re All-Irish post-primary provision in Killarney (Aonad Lán Gaeilge – Killarney)</u></b> (Matters arising 4.5)</p> <p>The Director of SYM advised that a meeting re Aonad in Killarney took place on 22<sup>nd</sup> March 2022. In addition to the Director of Schools, Youth and Music, the Principal, Deputy Principal and lead Irish teacher of Killarney Community College attended, along with the Irish Language tutor who will be providing Irish classes for staff in the school.</p> <p><b><u>Reform of Senior Cycle</u></b></p> <p>The Director of SYM updated the Board as follows:</p> <ul style="list-style-type: none"> <li>➤ On March 29<sup>th</sup> 2022, the Minister for Education, Ms. Norma Foley, TD, announced plans for a reimagined Senior Cycle (SC) for students. The three tenets of SC reform are to: <ul style="list-style-type: none"> <li>➤ Empower students to meet the challenges of the 21<sup>st</sup> century</li> <li>➤ Enrich the student experience and build on what’s strong in our current system</li> <li>➤ Embedded well-being and reduce student stress levels</li> </ul> </li> <li>➤ This new approach will enable students to follow a broad curriculum, develop their interests and skills and participate in a final assessment process consistent with international best practice, which will support them in their next phase of life, whether that’s third level, further education and training, apprenticeships or the world of work.</li> <li>➤ The redeveloped SC will include the development of new subjects and revised curricula for all existing subjects, which will be informed by the views of students and teachers in a co-creation process. These will include a significant emphasis on additional assessment components outside of the traditional final written exams.</li> </ul>

	<p>➤ The reform programme has been informed by the SC Review Advisory Report prepared by the National Council for Curriculum and Assessment (NCCA), which was also published today.</p> <p>This update was welcomed and noted by the Board.</p>
7.4	<p><b>Further Education and Training (FET) Update</b> The Director of FET Report, as circulated with the meeting Agenda, was noted by the Board. The Report addressed:</p> <ul style="list-style-type: none"> <li>➤ FET COVID-19 Incident Reports</li> <li>➤ Kerry College Open Week <ul style="list-style-type: none"> <li>➤ Apprenticeship Information Event</li> <li>➤ Open Week Clash Campus</li> </ul> </li> <li>➤ Commis Chef Revalidation</li> <li>➤ Sara Lee Site Killarney Update</li> <li>➤ SARs and SIUFs – Submission Date – 8<sup>th</sup> April 2022</li> <li>➤ FET Response for Ukrainian Refugees</li> </ul> <p>This update was noted.</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>➤ Head Office COVID-19 Update</li> <li>➤ Ukraine Refugee Response</li> <li>➤ Tralee Community Training Centre CLG</li> <li>➤ Tralee Regional Sports and Leisure CLG</li> <li>➤ ETB Head Office Accommodation</li> <li>➤ Kerry ETB Logo New Design Development</li> </ul> <p><b><u>Kerry ETB Logo New Design Development</u></b> As previously addressed at the February 22<sup>nd</sup> 2022, Board meeting, the CEO provided the following update:</p> <ul style="list-style-type: none"> <li>➤ Work has been ongoing on the Kerry ETB logo design.</li> <li>➤ Possible design options were presented to members at the February 22<sup>nd</sup> 2022 Board meeting.</li> <li>➤ This matter was considered at a Senior Management in-service on March 2<sup>nd</sup> 2022.</li> <li>➤ The preferred re-designed logo option was presented to the Board.</li> </ul>

	<p>A further update will be provided at the next Board meeting.</p> <p><b><u>ETBI Conference</u></b></p> <p>The Board members were advised that an ETBI Conference will be scheduled to take place in late September 2022. A meeting of the organising committee is scheduled for April 5<sup>th</sup> 2022.</p> <p>Further details re the conference will be provided at a later date.</p> <p>This update was noted by the Board.</p>
7.7	<p><b>Members' Business</b></p> <p>There were no matters raised under Members' Business at this meeting.</p>

03/2022/8	CORRESPONDENCE COMHFHREAGRAS
8.1	<p><b>DoE Correspondence:</b> Noted as listed</p>
8.2	<p><b>DoE Circular Letters:</b> Noted as listed</p>
8.3	<p><b>DoE Press Releases:</b> Noted as listed</p>
8.4	<p><b>Department of Further and Higher Education, Research, Innovation and Science Correspondence:</b> Noted as listed</p>
8.5	<p><b>Department of Further and Higher Education, Research, Innovation and Science Press Releases:</b> Noted as listed</p>
8.6	<p><b>Department of Children, Equality, Disability, Integration and Youth:</b> Noted as listed</p>
8.7	<p><b>ETBI Correspondence:</b> Noted as listed</p>
8.8	<p><b>SOLAS Correspondence:</b></p>

8.9	<p>Noted as listed</p> <p><b>Other Correspondence:</b> Noted as listed.</p>
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03/2022/9	<p style="text-align: center;"><b>ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH</b></p>
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	<p>Next Kerry ETB Board Meeting:</p> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <p><b>Tuesday, May 10<sup>th</sup> 2022</b> at <b>4.15 pm</b></p> </div>
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Signed/Sínithe: \_\_\_\_\_ Date/Dáta: \_\_\_\_\_