

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

<b>Date and Time:</b>	Tuesday, April 25th, 2023, at 04:15 pm
<b>Location:</b>	Gaelcholáiste Chiarraí Nua, Cloonmore, Tralee, Co. Kerry
<b>Chairperson:</b>	Cllr. Jim Finucane
<b>Secretary:</b>	Mr Colm McEvoy, Chief Executive Officer (CEO)
<b>Attendance (Reserve Members):</b>	<ul style="list-style-type: none"> <li>• Ms Celia O'Shea</li> <li>• Cllr. Deirdre Ferris</li> <li>• Cllr. Jim Finucane</li> <li>• Mr John O'Roarke</li> <li>• Cllr. Johnnie Wall</li> <li>• Mr Joseph Brennan</li> <li>• Ms Maria O'Gorman</li> <li>• Cllr. Marie Moloney</li> <li>• Cllr. Niall O'Callaghan</li> <li>• Mr Niall Lucey</li> <li>• Cllr. Norma Moriarty</li> <li>• Cllr. Terry O'Brien</li> <li>• Mr Tim Daly</li> </ul>
<b>Attendance (Executive Members):</b>	<ul style="list-style-type: none"> <li>• Mr Colm McEvoy, CEO</li> <li>• Ms Ann O'Dwyer, Director of Schools, Youth and Music (SY&amp;M)</li> <li>• Ms Maria Brennan, Director of Organisation Support and Development (OS&amp;D)</li> <li>• Mr Owen O'Donnell, Director of Further Education and Training (FET)</li> <li>• Ms Aileen O'Connor, Head of Corporate, Capital and Technology (CCT)</li> <li>• Ms Betty Corkey, Head of Human Resources</li> <li>• Mr Tommy Conroy, Head of Finance</li> <li>• Mr Pdraig O'Sullivan, Capital and Buildings Officer</li> <li>• Ms Trisha Tierney, Executive Support</li> </ul>
<b>Apologies:</b>	<ul style="list-style-type: none"> <li>• Cllr. Aoife Thornton, Board Member</li> <li>• Cllr. Cathal Foley, Board Member</li> <li>• Cllr. Fionnán Fitzgerald, Board Member</li> <li>• Ms Joan McCrohan, Board Member</li> <li>• Cllr. Maura Healy-Rae, Board Member</li> <li>• Cllr. Michael Cahill, Board Member</li> <li>• Ms Tara Donoghue, Board Member</li> <li>• Mr Zaid Kassoob, Board Member</li> </ul>

<b>04/2023/0</b>	<b>Conflict of Interest Coimhlint Leasa</b>
	<p>As per Section 1.18 of Circular Letter (CL) 0002/2019, a conflict of interest form was circulated to each Board Member before the meeting for signature. Furthermore, An Cathaoirleach asked the Board Members to disclose any conflicts of interest prior to the commencement of the meeting.</p> <p>Board Member Cllr. Deirdre Ferris disclosed a potential conflict of interest due to her membership on the Board of the Tralee Community Training Centre. An Cathaoirleach acknowledged receipt of same.</p> <p>As per the provisions of Section 1.18, An Cathaoirleach, Cllr. Jim Finucane disclosed a perceived conflict of interest relating to agenda item 6.6. Cllr Finucane excused himself from the part of the meeting during which this item was discussed.</p>

<b>04/2023/0</b>	
	<p>Before commencing the meeting, the Board Members paused to reflect on the historical importance of this April 2023 Board meeting as it was called to order in the library of the new Gaelcholáiste Chiarraí building. Attendees took time to reflect on the years of hard work that led to the completion of this project, worth in excess of €20 million.</p> <p>Special appreciation was extended to current and former Members of both the Board and Executive whose collective efforts and determination culminated in the construction of this new state-of-the-art Gaelcholáiste, capable of accommodating 600 students.</p> <p>An Cathaoirleach led the Board in a vote of thanks, with other Members of the Board sharing their thoughts on the significance of the project's successful completion.</p> <p>The CEO expressed his thanks to the Board Members, the school's management and staff (past and present) for their support and congratulated all stakeholders involved in the building project. He also noted that he looked forward to working with all partners in progressing the proposal for the construction of an Astro pitch on the school grounds.</p> <p>In conclusion, Cllr. Marie Moloney suggested that Gaelcholáiste Chiarraí could establish strategic links with Gaelscoil Faithleann in Killarney, as</p>

	<p>their students might be interested in attending the new Gaelcholáiste Chiarraí. In addition, she queried the availability of a free bus service from the Killarney-based school to the new campus (<i>ref: School Transport Scheme</i>).</p> <p>The Director of SY&amp;M noted the suggestion and recommended that interested students contact Killarney Community College to discuss accessing the new Aonad lán Ghaeilge (Irish class) the school is preparing to open. An application has been made to the DE seeking approval to open a new Aonad in Killarney Community College.</p>
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04/2023/1	<p style="text-align: center;"><b>Condolences Comhbhrón</b></p>
	<p><b>Condolences/Comhbhrón</b> An Cathaoirleach, Cllr. Jim Finucane, expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> <li>• The families of Lukas Joyce and Kirsty Bohan, students of Presentation College Headford, as well as the wider Headford community in County Galway, following their tragic loss.</li> <li>• Ms Grace Brosnan, Head Office, on the death of her uncle, Mr Mike Brosnan.</li> <li>• Ms Bridget Keane/Buckley, Head Office, on the death of her father, Mr Richard Keane.</li> <li>• Ms Sinéad Geary, Killarney Pathways, on the death of her uncle, Mr Michael O’Connell.</li> <li>• Mr John Adams, Killarney Youthreach, on the death of his aunt, Ms Kathleen Quill.</li> <li>• Ms Jacquie Barrett, Coláiste na Ríochta Board of Management, on the death of her mother, Ms Margaret Barrett.</li> </ul>

04/2023/2	<b>Congratulations Comhghairdeas</b>
	<p><b>Congratulations/Comhghairdeas</b> An Cathaoirleach, Cllr. Jim Finucane, shared congratulations to the following:</p> <ul style="list-style-type: none"> <li>• Castleisland Community College soccer team for winning the Munster First Year Under-14 Collins Cup.</li> <li>• Students of Coláiste na Sceilge and their mentor, Ms Olga Burdo, for placing second at the Irish National Lego Robotics League.</li> <li>• Caoimhe Spillane, Mairead Faherty, and Petra O'Flaherty, apprentices at Kerry College, on their recent appearance on the Today Show on RTÉ One.</li> <li>• Ms Kay Lanigan Ryan and the QQI Level 5 Hospitality Operations and Professional Cookery learners at Kerry College for their participation in the Great Irish Bake, which raised funds for vital surgery for sick children in Children's Health Ireland hospitals.</li> <li>• Mr John Creagh and Ms Michelle Collins of Coláiste Gleann Lí for organising the "Embracing and Promoting a Healthier Lifestyle through Tag Rugby" event at the Tralee Sports and Leisure Complex, with the support of the learners from Kerry College.</li> </ul>

04/2023/3	<b>Minutes of Last Board Meeting - For Adoption Miontuairiscí ón Gcruinniú Deireanach Boird – Le Glacadh</b>
	<p>The minutes of the previous Board meeting, held on March 29th, 2023, were circulated to the Board Members prior to the meeting.</p> <p>The minutes were presented to the Board for approval.</p> <p style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b> <b>Seconded: Cllr. Niall O'Callaghan</b></p> <p>The minutes were adopted and signed at the meeting.</p>

04/2023/4

**Matters Arising from Minutes  
Nithe Atá ag Éirí as na Miontuairiscí**

The 'Matters Arising From Minutes' were addressed under the relevant reports as follows:

<b>4.1</b>	<b>Two Mile Community National School Pre-School Service</b> <i>– see Schools, Youth and Music Report Section 7.1</i>
<b>4.2</b>	<b>National Parks Wildlife Service and Kerry ETB Environmental Education Memorandum of Understanding</b> <i>– see Further Education and Training Report Section 7.2</i>
<b>4.3</b>	<b>Head Office Service Charges</b> <i>– see Finance Report Section 7.4</i>
<b>4.4</b>	<b>ETBI Contributions</b> <i>– see Finance Report Section 7.4</i>
<b>4.5</b>	<b>Castleisland Community College Dressing Rooms</b> <i>– see Capital and Buildings Report Section 7.6</i>
<b>4.6</b>	<b>Gaelcholáiste Chiarraí Nua Building Project</b> <i>– see Capital and Buildings Report Section 7.6</i>
<b>4.7</b>	<b>Kerry College Killarney Campus Building Project</b> <i>– see Capital and Buildings Report Section 7.6</i>
<b>4.8</b>	<b>Scamps and Scholars Lease</b> <i>– see Capital and Buildings Report Section 7.6</i>
<b>4.9</b>	<b>Proposed Purchase of House and Lands in Listowel</b> <i>– see Capital and Buildings Report Section 7.6</i>
<b>4.10</b>	<b>Lease at 9-10 Denny Street, Tralee</b> <i>– see Capital and Buildings Report Section 7.6</i>
<b>4.11</b>	<b>Update re 5-year Strategy Statement (as per Section 27 ETB Act 2013)</b> <i>– see CEO's Report Section 7.7</i>

04/2023/5	<b>Education and Training Topics for Discussion</b> <b>Ábhair Oideachas Agus Oiliúint Le Plé</b>
<b>5.1</b>	<p><b>Finance Committee Annual Report 2022 as per Section 45 (3) of the ETB Act 2013 – Mr Brendan Tuohy, Section 45 Committee Chairperson</b></p> <p>At the March 2023 Board meeting, the Board Members noted receipt of a written report from the Finance Committee in accordance with the provisions of Section 45(3) of the ETB Act 2013 and Section 4.20 of CL 0002/2019. The report had been circulated to the Board Members along with the agenda for the March and April Board meetings, respectively.</p> <p>The CEO advised that the Committee Chairperson, Mr Brendan Tuohy, would provide a verbal presentation on the report during the June 2023 Board meeting.</p> <p>The Board noted same.</p>
<b>5.2</b>	<p><b>Audit and Risk Committee Annual Report 2022 as per Section 45 (3) of the ETB Act 2013 – Mr John O'Connor, Section 45 Committee Chairperson</b></p> <p>The Audit and Risk Committee Chairperson, Mr John O'Connor, joined the meeting and presented the Audit and Risk Committee Annual Report, addressing the Review of the System of Internal Control for 2022 in line with the provisions of Section 45(3) of the ETB Act 2013. This report was circulated in advance to the Board.</p> <p>Following this update and some discussion, An Cathaoirleach and the CEO thanked Mr O'Connor and the Audit and Risk Committee Members for the report and their ongoing work and support.</p>

## 5.3

**Head Office Accommodation – Mr Colm McEvoy, Chief Executive Officer**

Since 2019, collectively, the Kerry ETB Board and Executive Members have been working to address the long-term accommodation needs for the organisation's head office.

By way of background, Board Members were advised that submissions have been previously made regarding the possible acquisition of the MTU South Campus in Tralee and the possible relocation of the Kerry ETB Head Office to this site (Department of Education (DE) submission November 2019 and SOLAS January 2020). In addition, preliminary discussions have been held with Kerry County Council regarding the possible development of the Island of Geese site in Tralee into a head office for the organisation.

The current Kerry ETB Head Office lease is for 12 years, expiring August 2027, with a break clause in August 2025.

In December 2022, Board approval was sought and received to engage a third party to draft a detailed report exploring the head office accommodation options available to Kerry ETB and the associated costs.

The CEO presented an overview of these head office accommodation options, including the following:

- Renew the existing lease for a further 10 years
- Acquire the MTU South Campus and relocate the head office to part of the site permanently
- Move the head office permanently to the Moyderwell building, Tralee (former Gaelcholáiste Chiarraí building).
- Relocate the head office to the Island of Geese Site, Tralee and possibly enter a lease to purchase arrangement with Kerry County Council.
- Acquire a site and build a permanent head office.
- Exit the lease and move the head office to another leased premises with associated lease, legal and fit-out costs.
- New option: introduce a decentralised office model in tandem with blended working and exit the current head office lease.

The presentation addressed indicative overall costs associated with the different options. Members were advised that comprehensive costings would be required for the preferred option.

At the meeting, the Board and Executive Members engaged in a detailed discussion regarding the various head office accommodation options and associated costs. After careful consideration, the Board was supportive in exploring fully the option to permanently relocate the head office to the Moyderwell building in Tralee, i.e. the former Gaelcholáiste Chiarraí building.

It was noted that the building is “listed”, and substantial refurbishment and fit-out would be necessary to transform it into suitable office accommodation. As advised at previous Board meetings, work has commenced on a building condition report for this building.

Based on current market costs, these expenses are estimated to be in the region of approximately €4,000,000. In the context of Kerry ETB’s current rental commitments, such an investment would yield a payback period of approximately 12/15 years. Additionally, it was noted that opting for this relocation would help avoid potential fit-out costs arising from future lease arrangements (shell and core buildings).

It was unanimously agreed by the Board that relocating the head office to the Moyderwell building on a permanent basis would provide a long-term solution for the organisation’s head office accommodation needs. Key factors in reaching this decision included:

- Kerry ETB owns the Moyderwell building. The certainty arising from owning the building is significant.
- The building is situated on approximately one acre of land adjacent to the town centre.
- The current building encompasses around 24,000 square feet.

**Proposed: Cllr. Norma Moriarty**

**Seconded: Cllr. Terry O’Brien**

The target is to have the business case ready for submission to the Department by the end of June 2023. It was noted that the compilation of the business case entails engaging a third party and incurring associated expenditures. Regarding the timeline, the CEO informed the Board that potential relocation dates under consideration are either July 31st, 2025 (10-year break clause) or July 31st, 2027 (end of 12-year lease).

The Board thanked the CEO for his informative presentation.

It was noted that a letter would be issued to the DE advising the future head office options that have been explored per the meeting’s discussions.

A further update will be provided at the next meeting.

04/2023/6	<b>Governance Rialachas</b>
6.1	<p><b>Risk Management Update</b> Ms Maria Brennan, Director of OS&amp;D (Chief Risk Officer), provided an update to Board Members regarding the Corporate Risk Register, specifically Version 1.1 for 2023.</p> <p>It was highlighted that the updated Corporate Risk Register now comprises 11 risks. The complete register was shared with the April 2023 Board pack for Members to review, in line with the organisation's commitment to effective risk management (Section 7, CL 0002/2019). For each risk, the Executive has identified mitigating actions/controls, and Board Members were encouraged to carefully assess same.</p> <p>Concluding her update, the Chief Risk Officer referenced some revisions to the register that were made during the Senior Executive Management meeting on April 17th, 2023, with particular reference to the risk regarding potential energy or fuel shortages. The revised register will be presented at the June 2023 Board meeting.</p> <p>Thanks were shared with the Chief Risk Officer for her update.</p>
6.2	<p><b>Kerry ETB Policies – <i>for approval</i></b> The following policy, as circulated with the agenda, was presented for approval by Ms Maria Brennan, Director of OS&amp;D:</p> <ul style="list-style-type: none"> <li>• Leased Property Policy and Procedure</li> </ul> <p>The Board approved the above-listed policy as presented.</p> <p style="text-align: center;"><b>Proposed: Cllr. Deirdre Ferris</b> <b>Seconded: Cllr. Jim Finucane</b></p>

6.3

**Section 44 Committees: Minutes – for approval**

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

Section 44 Committee	Date of Meeting	Board Member in Attendance
Scoil An Ghleanna Pobal Scoil Náisiúnta	30.11.22	N/A
	25.01.23	
Castleisland Community College	20.02.23	Fionnán Fitzgerald
Coláiste Gleann Lí	03.03.23	Terry O'Brien, Joe Brennan
Killorglin Community College	29.09.22	Fionnán Fitzgerald
	29.11.22	Fionnán Fitzgerald, Michael Cahill
Further Education and Training Centres	30.11.22	Niall O'Callaghan, Deirdre Ferris

The Board Members approved the above-listed minutes.

**Proposed: Mr Niall Lucey**  
**Seconded: Cllr. Deirdre Ferris**

6.4

**Section 44 Committees: Appointments and Vacancies – for approval**

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

Section 44 Committee	Nomination
Youthreach	Liam McGill – <i>Principal nomination</i> (replacing Iseult Glynn)
	Louise Sjorgen – <i>Female parent nomination</i> (replacing Jacinta Roche)
	Mark Deely – <i>Male staff nomination</i> (replacing John Buggy)

In addition to the above, Board Members were also advised of the following late-received nomination to the Youthreach Board of Management:

- Siobhan Walsh, Parent nomination (replacing Duncan Christie)

The Board Members approved the above-listed nominations.

**Proposed: Cllr. Norma Moriarty**  
**Seconded: Cllr. Johnnie Wall**

<p><b>6.5</b></p>	<p><b>Section 45 Committees: Minutes and Meeting Notes</b> The following Section 45 Committee minutes and meeting notes, as circulated with the agenda, were presented for noting.</p> <table border="1" data-bbox="496 389 1385 640"> <thead> <tr> <th>Section 45 Committee</th> <th>Meeting Date</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>Audit and Risk</td> <td>N/A</td> <td>Report on Statement of Internal Control</td> </tr> <tr> <td>Audit and Risk</td> <td>N/A</td> <td>Annual Report 2022</td> </tr> <tr> <td>Finance</td> <td>24.02.23</td> <td>Minutes</td> </tr> </tbody> </table> <p>Members noted same.</p>	Section 45 Committee	Meeting Date	Document	Audit and Risk	N/A	Report on Statement of Internal Control	Audit and Risk	N/A	Annual Report 2022	Finance	24.02.23	Minutes
Section 45 Committee	Meeting Date	Document											
Audit and Risk	N/A	Report on Statement of Internal Control											
Audit and Risk	N/A	Annual Report 2022											
Finance	24.02.23	Minutes											
<p><b>6.6</b></p>	<p><b>Partnership Schools Boards of Management: Minutes</b> <i>Nil at present.</i></p>												
<p><b>6.7</b></p>	<p><b>Oversight Agreement with the Department of Education (2020/2022)</b> The Oversight Agreement between Kerry ETB and the DE establishes the requirement for both parties to establish urgent communication arrangements in the event of significant issues. One specific arrangement outlined in the Oversight Agreement is the Early Warning Report.</p> <p>In line with the provisions of the Oversight Agreement, Kerry ETB is responsible for submitting early warning reports at the end of each quarter. For Quarter 1, 2023, Kerry ETB submitted an early warning report to notify the publication of the new Strategy Statement 2023-2027. The inclusion of draft strategy reports in the notification is a risk area that the Department has requested all ETBs to report on.</p> <p>The Board Members took note of this update.</p>												
<p><b>6.8</b></p>	<p><b>Parliamentary Questions, Quarter 1, 2023</b> The Board acknowledged the receipt of a summary report on Parliamentary Questions (PQs) received by Kerry ETB year to date, as well as the process for responding to these questions.</p> <p>Kerry ETB received a total of five PQs in Quarter 1, 2023. Among these, one PQ was a follow-up question to a PQ raised in 2022.</p> <p>The Board Members noted this update.</p>												

04/2023/7	<p style="text-align: center;"><b>Executive Updates</b> <b>Uasdátú ón bhFeidhmeannas</b></p>
7.1	<p><b>Schools, Youth and Music Report</b></p> <p>The Schools, Youth and Music Report, as circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> <li>• Kerry ETB Student Awards</li> <li>• Traveller Education Support Update</li> <li>• Two-Mile Community National School Pre-School Service (Matters Arising Section 4.1)</li> <li>• Schools/FET Synergies Update</li> <li>• REALT Update</li> <li>• SNA Summer Programme</li> <li>• Lyreacrompane Meeting</li> <li>• Gaelcholáiste Chiarraí Opening</li> <li>• School Achievements   Castleisland CC</li> </ul> <p>In addition to her report, some brief discussions took place regarding the Causeway GAA Pitch Licence Agreement.</p> <p><u>Two-Mile Community National School Preschool Service (Matters Arising Section 4.1)</u></p> <p>At the March 2023 Board meeting, the Director of SY&amp;M provided an update to the Board regarding the efforts made by Kerry ETB to establish a preschool on the Two-Mile Community National School (CNS) site. It was reported that extensive exploration had taken place of all possible options for the preschool. It was also noted that the third-party provider for the preschool had withdrawn from the project.</p> <p>The Director of SY&amp;M advised that, following discussions with the school principal and the board of management chairperson, it was mutually agreed that there would be no preschool on the site. A communication was sent from the school on April 17<sup>th</sup>, 2023, to parents and the local community to inform them of the decision and clarifying that the establishment of a preschool would not proceed as had been planned.</p> <p>Board Members noted this update.</p> <p><u>Causeway GAA Pitch Licence Agreement</u></p> <p>Some brief discussions took place regarding the Causeway GAA Pitch Licence Agreement. Board Members were advised that securing approval of the revised licence agreement by Causeway GAA has proven very difficult and protracted.</p>

	<p>Some concerns locally regarding the proposed location of the storm water tank (part of the school extension project) under the GAA pitch were raised. The CEO advised that the design team was asked to examine alternative tank locations on the school's site. The clear preference is to relocate the tank to an area other than the GAA pitch.</p> <p>It was noted that this work is progressing, and a further update would be provided at the next meeting.</p>
7.2	<p><b>Further Education and Training Report</b></p> <p>The Further Education and Training Report, as circulated in advance of the meeting, was noted by Board Members and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> <li>• FET Financials</li> <li>• Beneficiaries</li> <li>• Ukrainian Update</li> <li>• Cork ETB Management Visits</li> <li>• Tertiary Pathways Project</li> <li>• QQI Devolved Responsibility</li> <li>• Community Education</li> <li>• Buildings Update</li> <li>• Sustainability</li> <li>• RTÉ – Today Show</li> <li>• Wind Turbine Maintenance Technician Launch</li> </ul> <p>In addition to his report, the Director of FET provided a brief update on the National Parks Wildlife Service and Kerry ETB Environmental Education Memorandum of Understanding (Matters Arising Section 4.2)</p> <p><u>National Parks Wildlife Service and Kerry ETB Environmental Education Memorandum of Understanding (Matters Arising Section 4.2)</u></p> <p>At the March 2023 Board meeting, a draft statement addressing the transition of the schools' program provision from Kerry ETB to the National Parks Wildlife Service (NPWS) was distributed to Board Members for review. It was noted during the meeting that the statement would be released shortly by the Kerry ETB and the NPWS to relevant stakeholders.</p> <p>The Director of FET confirmed to Board Members that the Kerry College Killorglin Campus Manager had issued the joint statement to an extensive contact list, including all the users of environmental education services over the past number of years.</p> <p>The Board Members thanked the Director of FET for his updates.</p>

7.3

**Organisation Support and Development Report**

The Organisation Support and Development Report, as circulated in advance of the meeting, was noted by the Board Members, and taken as read. The report addressed the following:

- Governance, Compliance and Risk System
- IAU Audits 2023
- Internal Controls

The Board Members thanked the Director of OS&D for her comprehensive report.

7.4

**Finance Report**

The Finance Report was presented at the meeting. The report addressed the following:

- Finance Update
- Head Office Service Charges (Matters Arising Section 4.3)
- ETBI Contribution

In addition to his report, as circulated, the Head of Finance provided an update on the Travel and Subsistence Budget 2023.

Finance Update

The Head of Finance, Mr Tommy Conroy, presented a summary of finances as of March 31st, 2023, as follows:

KERRY EDUCATION AND TRAINING BOARD CASH GRANTS AS AT 31st MARCH 2023				
ITEM	Opening Grant Cash Balance *	Receipts	Payments	Closing Grant Cash Balance
Main Scheme				
Pay			(7,600,440)	
Non Pay			(720,886)	
<b>Main Scheme Total</b>	<b>360,447</b>	<b>6,967,195</b>	<b>(8,321,326)</b>	<b>(993,684)</b>
Associated Main Scheme	952,347	229,919	(253,669)	928,596
<b>Capital</b>	<b>4,611,247</b>	<b>1,339,278</b>	<b>(3,453,658)</b>	<b>2,496,867</b>
<b>Further Education</b>	<b>1,938,910</b>	<b>14,325,492</b>	<b>(12,012,363)</b>	<b>4,252,038</b>
Youth Affairs	92,933	363,512	(319,931)	136,513
Agency	445,171	283,372	(271,420)	457,123
Self-Financing	912,130	158,069	(228,787)	841,411
<b>Total:</b>	<b>9,313,185</b>	<b>23,666,834</b>	<b>(24,861,156)</b>	<b>8,118,864</b>

The Board Members noted this update.

Head Office Service Charges (Matters Arising Section 4.3)

At the March 2023 Board meeting, the Head of Finance reported to the Board Members that on March 20th, 2023, MRW Solicitors (Kerry ETB's

legal representatives) received correspondence from the landlord's legal representatives acknowledging that the service charges were not included in the completed rent review. The correspondence claimed that there is an outstanding amount of €162,557.30, broken down as follows:

- Service charges: €109,239.24
- Oil: €45,471.43
- Insurance: €7,846.63

It was again clarified that Kerry ETB's initial landlord (Lee Strand Cooperative) had not levied the organisation for these additional charges. Lee Strand Cooperative sold the lease interest to Valley Healthcare on December 20th, 2017.

In addition, Kerry ETB has sought documentation from the landlord to support the levying of these charges, for example, readings of oil usage, details regarding the basis for the service charges and related expenditures. To date, only Microsoft Excel sheets have been provided to Kerry ETB and the expenditure referred to in these documents has not been vouched, i.e. by way of an auditor's certificate.

A meeting was held with MRW Solicitors on April 6<sup>th</sup>, 2023, with the Head of Finance, Director of OS&D and CEO in attendance for Kerry ETB. At the meeting, the issue was thoroughly discussed, and MRW Solicitors agreed to contact the landlord's legal representatives again addressing the following:

- Confirm Kerry ETB's intention to pay the insurance cost.
- Highlight that prior to payment of any oil costs we would require evidence of Kerry ETB's consumption. This had been requested several times but had yet to be provided.
- Request the provision of an auditor's certificate to verify the incurred service charges.

MRW solicitors issued this correspondence on April 19th, 2023.

Giving due consideration to the potential liability arising and the accounting prudence principle, the Head of Finance tabled a proposal to make a payment of €33,325 to the landlord. This proposed payment represents a full year's service charge based on a €2.50 cost per square foot.

As per the provision of the ETB Act 2013, section 12(2)(n) matters re property are a reserved function of the Board.

Following discussion, the Board approved the proposal as presented by the Head of Finance.

**Proposed: Cllr. Niall O'Callaghan**  
**Seconded: Mr Joseph Brennan**

	<p>It was noted that this payment would be made pending the resolution of the service charge issue. Once clarification of the service charge has been fully provided, i.e. via an auditor's certificate, any outstanding balance will be paid.</p> <p>The Board Members noted this.</p> <p><u>ETBI Contributions (Matters Arising Section 4.4)</u> To be addressed at the June 2023 Board meeting.</p> <p><u>Travel and Subsistence</u> Board Members were advised that after thorough consultation and discussion with the Senior Management team, the travel and subsistence (T&amp;S) budget for the year 2023 has been established at c. €139,101. This budget covers SY&amp;M, OS&amp;D and FET.</p> <p>The 2023 figure takes into consideration Kerry ETB's Sustainability Strategy and the commitment to reducing the organisation's carbon footprint. In particular, the 2023 budget reflects a substantial reduction of 43% when compared to the corresponding budget in 2019.</p> <p>By implementing this revised budget, Kerry ETB aims to achieve cost savings and align its practices with sustainability objectives. The reduced budget reflects the organisation's commitment to the proactive financial management of T&amp;S expenditure and more environmentally conscious approaches.</p> <p>The Board shared its thanks to the Head of Finance for his report.</p>
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6.5	<p><b>Corporate, Capital and Technology Report</b></p> <p>As circulated in advance of the meeting, the Corporate, Capital and Technology (CCT) Report was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> <li>• ICT Expenditure 2023</li> <li>• Sustainability/Climate Action Update</li> <li>• Health and Safety Update</li> <li>• Cyber Security Update</li> </ul> <p><u>ICT Expenditure 2023</u></p> <p>As per the Department of Public Expenditure and Reform (DPER) Circular Letter 0002/2016, “Arrangements for Digital and ICT-related expenditure in the Civil and Public Service”, it is a requirement that the Board of the sponsoring organisation approve the proposed expenditure. The total digital/budget proposed for 2023 is c. €1,581,756.23.</p> <p>The Head of CCT, Ms Aileen O’Connor, presented the proposed ICT Expenditure for 2023.</p> <p>The Board approved the submission as presented by the Head of CCT.</p> <p style="text-align: center;"><b>Proposed: Cllr. Johnnie Wall</b> <b>Seconded: Mr Joseph Brennan</b></p> <p>An Cathaoirleach thanked the Head of CCT for her updates.</p>
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6.6

**Capital and Buildings Report**

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

- Gaelcholáiste Chiarraí Nua Building Project (Matters Arising Section 4.6)
- Kerry College Killarney Campus Building Project (Matters Arising Section 4.7)
- Major Devolved Projects Summary
- Additional School Accommodation Projects Summary
- EWS/SWS Project Summary
- FET Projects Summary
- Land & Leases
  - Castleisland Community College Dressing Rooms (Matters Arising Section 4.5)
  - Scamps and Scholars Lease (Matters Arising Section 4.8)
  - Proposed Purchase of House and Lands in Listowel (Matters Arising Section 4.9)
  - Proposed Lease at 9-10 Denny Street (former AIB Business Banking) (Matters Arising Section 4.10)
  - Killorglin Sports and Leisure Company Limited by Guarantee
  - Applications awaiting DoE/DFHERIS approval
  - Use of Seal

Castleisland Community College Dressing Rooms (Matters Arising Section 4.6)

Further to the updates from the previous meetings, Castleisland Community College (CC) and Castleisland Association Football Club (AFC) have been collaborating to draft a new license agreement to underpin the football club's proposal to construct dressing rooms for use in connection with the Astro-turf pitch to the rear of the school.

At the meeting, Mr Pdraig O'Sullivan, Capital and Buildings Officer, informed the Board Members that MRW Solicitors had sent this new license agreement to Castleisland CC and Castleisland AFC for their review. The review process, which will involve the school BOM, is expected to be completed before the June 2023 Board meeting. Once the review is finalised, a formal proposal regarding the license agreement will be presented to the Board Members for approval.

It was clarified that the Board cannot proceed with this matter until Castleisland CC's Board of Management confirms its full agreement with the terms of the proposed new license agreement.

A further update will be provided at the June 2023 Board meeting.

The Board noted this update.

Gaelcholáiste Chiarraí Nua Building Project (Matters Arising Section 4.7)

The Board was advised that staff and students had been moved into the new building on April 24th, 2023. This update was welcomed by all in attendance.

Kerry ETB Project Board members continue to engage with Vision Contracting Limited in relation to the claim referred to the Project Board. The claim relates to additional costs claim in relation to the inflationary effects on the project to date for costs outside of the OGP Inflation Co-Operation Framework Agreement. The Project Board will meet again in due course to assess the claim.

The Capital and Buildings Officer clarified for the purpose of the minutes that any recommendation from the Project Board will be subject to DE approval.

The Board noted this clarification.

Kerry College Killarney Campus Building Project (Matters Arising Section 4.7)

The Capital and Buildings Officer advised the Board that there had been no further communication from SOLAS or DFHERIS regarding the preliminary business case templates.

Expressing their concerns with the delay, the Board unanimously requested that the Executive further engage with SOLAS officials to try and progress matters. The importance of this project for the ETB was re-emphasised.

A further update will be provided at the next meeting.

Scamps and Scholars Lease (Matters Arising Section 4.8)

Following the March 2023 Board meeting, Kerry ETB made contact with the tenant to finalise the lease map for inclusion with the lease.

Kerry ETB has received correspondence that the finalised signed lease from Scamps and Scholars (Killorglin Community Childcare) has been returned to their legal agent for onward submission to MRW Solicitors.

Kerry ETB is actively engaging with MRW Solicitors to arrange to co-sign the finalised lease, and it should be ready for presentation at the June 2023 Board meeting.

Proposed Purchase of House and Lands in Listowel (Matters Arising Section 4.8)

As per the provisions of Section 1.18 of CL 0002/2019, Cllr. Jim Finucane declared a possible perceived conflict of interest with this agenda item (Agenda item 6.3). Cllr. Jim Finucane advised the Board that the landowner

is a distant relative and therefore excused himself from the part of the meeting during which the ETB's proposed acquisition of the property was discussed. Cllr. Niall O'Callaghan, Board Member, acted as Cathaoirleach for the duration of these discussions.

As advised at the March 2023 Board meeting, on March 1<sup>st</sup>, 2023, Kerry ETB received a copy of a valuation undertaken by the property owner, which valued the property at €395,000. Kerry ETB has independently valued the property on two occasions, at €275,000 (2022) and €300,000 (2019).

Kerry ETB met with Ger Carmody following discussions at the last Board meeting. Ger Carmody has reverted by email to Kerry ETB on April 19<sup>th</sup>, 2023, advising that the landowner is willing to accept an offer of €355,000 for the property (pending Board and DE approval).

It was noted that the current school site accommodates Colaiste na Ríochta and Gaelscoil Lios Tuathail. Over the years, traffic management issues have continued to arise at the site.

The current site is c 4.1 acres, and the site for the proposed property is c. 0.25 acres.

Members were advised that the current stage 1 designs are being finalised for this project. Two versions of plans are being prepared, one without this proposed property and one including the property. In terms of the overall site design for the future, the clear preference is to acquire this property, given its location directly adjacent to the rear school entrance (currently used by Gaelscoil Lios Tuathail).

In the discussions arising, Cllr. Deirdre Ferris noted here reservations in paying more than the ETB's valuations.

Having considered the matter and the long-term importance of the optimal development of the school site for the future, the Board approved the proposed purchase of the building for €355,000.

**Proposed: Ms Maria O'Gorman**  
**Seconded: Cllr. Norma Moriarty**

This proposed acquisition will be referred to the DE for consideration.

A further update will be provided at the next meeting.

Lease at 9-10 Denny Street, Tralee (Matters Arising Section 4.10)

Following the Board's approval of this lease at the March 2023 Board meeting, an application for Department approval was submitted on April 5<sup>th</sup>, 2023.

	<p>Kerry ETB continues to address the concerns raised in relation to the availability of staff car parking on the site or in the town centre. Any issues related to staff car parking are expected to be resolved during this period, with the Board kept fully informed and a comprehensive update provided once this matter is resolved.</p> <p>A further update regarding parking will be presented at the next Board meeting.</p> <p>If approved by the DE, the proposed lease will commence on July 1st, 2023.</p> <p><u>Use of Seal</u> In accordance with Schedule 3, Paragraph (2) of the Education and Training Boards Act 2013, the seal of Kerry ETB will be used to execute the following document at the April 2023 ETB Board meeting:</p> <table border="1" data-bbox="483 792 1396 1039"> <tr> <td><b>Arrangement:</b></td> <td>Deed of Variation to remove the break clause in respect of Kerry ETB's lease of the Butler Centre Listowel</td> </tr> <tr> <td><b>Justification:</b></td> <td>FET provision</td> </tr> <tr> <td><b>Approval Process:</b></td> <td>Approved by the ETB Board on July 12<sup>th</sup>, 2022. Approved by the DFHERIS on March 13<sup>th</sup>, 2023</td> </tr> </table> <p>The Board noted the use of the seal.</p>	<b>Arrangement:</b>	Deed of Variation to remove the break clause in respect of Kerry ETB's lease of the Butler Centre Listowel	<b>Justification:</b>	FET provision	<b>Approval Process:</b>	Approved by the ETB Board on July 12 <sup>th</sup> , 2022. Approved by the DFHERIS on March 13 <sup>th</sup> , 2023
<b>Arrangement:</b>	Deed of Variation to remove the break clause in respect of Kerry ETB's lease of the Butler Centre Listowel						
<b>Justification:</b>	FET provision						
<b>Approval Process:</b>	Approved by the ETB Board on July 12 <sup>th</sup> , 2022. Approved by the DFHERIS on March 13 <sup>th</sup> , 2023						
7.7	<p><b>Chief Executive Officer's Report</b> As circulated with the agenda, the Chief Executive Officer Report was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> <li>• Update re 5-year Strategy Statement - as per Section 27 ETB Act 2013</li> <li>• Tralee Regional Sports and Leisure Company Limited by Guarantee</li> <li>• Over the Water Sports Centre Company Limited by Guarantee</li> <li>• Head Office Accommodation</li> <li>• Kerry College Killorglin Outdoor Education and Training Campus Correspondence (Matters Arising Section 4.11)</li> </ul> <p>In addition to his report, as circulated, the CEO addressed correspondence received by the Director of SY&amp;M on April 24<sup>th</sup>, 2023, in relation to "Kerry Recommendations for Increasing Capacity 2023/24."</p> <p><u>Update re 5-year Strategy Statement (as per Section 27 ETB Act 2013) (Matters Arising Section 4.10)</u> The CEO advised that the arrangements for launching the Kerry ETB Strategy Statement 2023-2027 and unveiling the new logo need to be finalised.</p>						

After careful consideration, the proposed date for the launch event was confirmed as Thursday, June 22nd, 2023.

Potential venues were presented for the launch event, and the two primary options discussed were as follows:

- Kerry College Clash Road Campus, Tralee
- Tech Amergin FET Centre, Waterville

The CEO advised that the Kerry College Clash Road Campus location had been considered, given the plans to celebrate the building's 50th anniversary later in 2023. However, the Principal has advised that these plans are focused on an Autumn 2023 celebration.

After thorough deliberation, it was unanimously agreed that the event would take place at Tech Amergin FET Centre in Waterville.

**Proposed: Cllr. Deirdre Ferris**  
**Seconded: Cllr. Jim Finucane**

The Board was informed that invitations would be sent to members in the coming weeks, allowing them sufficient time to RSVP.

Department of Education Kerry Recommendations for Increasing Capacity 2023/24

Board Members were advised that the Director of SY&M received communication from the DE on April 24th, 2023, regarding increasing capacity for 2023/24. Additional capacity requirements have arisen in response to current demographic needs (increased demand) during the academic year.

Kerry ETB was requested to consider matters as per the proposal for 2023/24. Where additional capacity is required, this may be addressed using the potential existing capacity identified or by installing additional modular accommodation.

A meeting to address same with the DE has been scheduled for April 28th, 2023. The Director of SY&M is liaising with schools on this matter.

A further update will be provided at the next meeting.

The Board thanked the CEO for his updates.

<b>04/2023/8</b>	<b>CORRESPONDENCE COMHFHREAGRAS</b>
<b>8.1</b>	<b>DE Correspondence:</b> Noted as listed
<b>8.2</b>	<b>DE Circular Letters:</b> Noted as listed
<b>8.3</b>	<b>DE Press Releases:</b> Noted as listed
<b>8.4</b>	<b>DFHERIS Correspondence:</b> Noted as listed
<b>8.5</b>	<b>DFHERIS Press Releases:</b> Noted as listed
<b>8.6</b>	<b>Department of Children, Equality, Disability, Integration and Youth Correspondence:</b> Noted as listed
<b>8.7</b>	<b>ETBI Correspondence</b> Noted as listed
<b>8.8</b>	<b>SOLAS Correspondence</b> Noted as listed
<b>8.9</b>	<b>Other Correspondence</b> Noted as listed
<b>04/2023/9</b>	<b>MEMBERS' BUSINESS GNÓ NA gCOMHALTAÍ</b>

04/2023/10	<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><b>Next Kerry ETB Board Meeting:</b> The date for the June 2023 Board meeting was noted as follows:</p> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <p><b>Date: June 6th, 2023</b></p> <p><b>Time: 04:15 pm</b></p> <p><b>Location: Kerry ETB Head Office Boardroom, Centrepont, John Joe Sheehy Road, Tralee, Co. Kerry</b></p> </div>

Signed/Sínithe: \_\_\_\_\_

Date/Dáta: \_\_\_\_\_