

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

Date and Time:	Tuesday, June 6 th , 2023, at 04:15 pm
Location:	Kerry ETB Head Office, Centrepoin, Tralee, Co. Kerry
Chairperson:	Cllr. Jim Finucane
Secretary:	Mr Colm McEvoy, Chief Executive Officer (CEO)
Attendance (Reserve Members):	<ul style="list-style-type: none"> • Cllr. Aoife Thornton (VC) • Cllr. Cathal Foley (VC) • Ms Celia O'Shea (VC) • Cllr. Deirdre Ferris • Cllr. Fionnán Fitzgerald (VC) • Cllr. Jim Finucane • Ms Joan McCrohan • Cllr. Johnnie Wall • Mr Joseph Brennan • Ms Maria O'Gorman • Cllr. Marie Moloney • Cllr. Niall O'Callaghan (VC) • Mr Niall Lucey • Cllr. Norma Moriarty (VC) • Ms Tara Donoghue • Cllr. Terry O'Brien • Mr Zaid Kassoob
Attendance (Executive Members):	<ul style="list-style-type: none"> • Mr Colm McEvoy, CEO • Ms Ann O'Dwyer, Director of Schools, Youth and Music (SY&M) • Ms Maria Brennan, Director of Organisation Support and Development (OS&D) • Mr Owen O'Donnell, Director of Further Education and Training (FET) • Ms Aileen O'Connor, Head of Corporate, Capital and Technology (CCT) • Ms Betty Corkey, Head of Human Resources • Mr Tommy Conroy, Head of Finance • Mr Pdraig O'Sullivan, Capital and Buildings Officer • Ms Trisha Tierney, Executive Support
Apologies:	<ul style="list-style-type: none"> • Mr John O'Roarke, Board Member • Cllr. Maura Healy-Rae, Board Member • Cllr. Michael Cahill, Board Member • Mr Tim Daly, Board Member

06/2023/0	Conflict of Interest Coimhlint Leasa
	<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>

06/2023/1	Condolences Comhbhrón
	<p>Condolences/Comhbhrón An Cathaoirleach, Cllr. Jim Finucane, expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> • Ms Maria O’Gorman, Kerry ETB Board, on the death of her cousin, Ms Annette Fitzgerald. • Ms Brónagh McKenna, Castleisland Community College, on the death of her mother-in-law, Ms Eileen McKenna. • Ms Lucinda Moriarty, Coláiste Gleann Lí, on the death of her uncle, Mr Eugene O’Sullivan. • Ms Sharon Hegarty Hickey, Coláiste Gleann Lí, on the death of her uncle, Mr Donie Hegarty. • Ms Louise Egan, Kerry College, on the death of her brother, Mr Jerry Horgan. • Ms Noranne Enright, Kerry College, on the death of her uncle, Mr Philip O’Connor. • Ms Jennifer O’Carroll, Kerry College, on the death of her uncle, Mr Cornelius (Con) O’Carroll. • Mr Karl Sloan, Kerry College, on the death of his uncle, Mr David Carty. • Ms Catherine Dineen, Head Office, on the death of her aunt, Ms Margaret Mulcahy. • Ms Kay Loughnane, Head Office, on the death of her uncle, Mr Diarmuid Glavin. • Ms Teresa Kerins, Head Office, on the death of her mother-in-law, Ms Kathleen Curtin. • Mr John O’Regan, retired school principal, on the death of his wife, Claire O’Regan.

	<ul style="list-style-type: none"> • Ms Martha Bolger, Kilkenny/Carlow ETB, on the death of her father, Mr William Bolger. • Mr Noel Spillane, South Kerry Development Partnership, on the death of his father, Mr Thomas Spillane.
--	---

06/2023/2	Congratulations Comhghairdeas
	<p>Congratulations/Comhghairdeas On behalf of the Board, An Cathaoirleach, Cllr. Jim Finucane, shared congratulations to the following:</p> <ul style="list-style-type: none"> • All involved in preparations for the Kerry ETB Student Awards 2023. • All involved in the launch of the Universal Design for Learning Research Project on May 22nd, 2023. • The Kenmare Further Education and Training Centre staff and apprentices following their successful "Cultural Day" on May 11th, 2023. • The students from Killorglin Community College for winning the "Make Our World Healthier: Mental Health Challenge Award" at the Young Social Innovators of the Year Awards 2023. • The Kerry College's Clash Road Campus staff and learners on raising over €2,000 for 'Critical' in early March through a 5-kilometre fun run/walk.

06/2023/3	Minutes of Last Board Meeting - For Adoption Miontuairiscí ón Gcruinniú Deireanach Boird – Le Glacadh
	<p>The minutes of the previous Board meeting, held on April 25th, 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;">Proposed: Cllr. Terry O'Brien Seconded: Cllr. Deirdre Ferris</p> <p>The minutes were adopted and signed at the meeting.</p>

06/2023/4

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

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

4.1	Causeway GAA Pitch Licence Agreement – see <i>Schools, Youth and Music Report Section 7.1</i>
4.2	ETBI Annual Subscription 2023 – see <i>Finance Report Section 7.4</i>
4.3	Department of Education Kerry Recommendations for Increasing Capacity 2023/24 – see <i>Capital and Buildings Report Section 7.6</i>
4.4	Castleisland Community College Dressing Rooms – see <i>Capital and Buildings Report Section 7.6</i>
4.5	Kerry College Killarney Campus Building Project – see <i>Capital and Buildings Report Section 7.6</i>
4.6	Scamps and Scholars Lease – see <i>Capital and Buildings Report Section 7.6</i>
4.7	Proposed Purchase of House and Lands in Listowel – see <i>Capital and Buildings Report Section 7.6</i>
4.8	Lease at 9-10 Denny Street, Tralee – see <i>Capital and Buildings Report Section 7.6</i>
4.9	Update re 5-year Strategy Statement (as per Section 27 ETB Act 2013) – see <i>CEO's Report Section 7.7</i>
4.10	Head Office Accommodation – see <i>CEO's Report Section 7.7</i>
4.11	Update re 5-year Strategy Statement (as per Section 27 ETB Act 2013) – see <i>CEO's Report Section 7.7</i>

06/2023/5	<p align="center">Education and Training Topics for Discussion Ábhair Oideachas Agus Oiliúint Le Plé</p>
<p>5.1</p>	<p>Finance Committee Annual Report 2022 as per Section 45 (3) of the ETB Act 2013 – Mr Brendan Tuohy, Section 45 Committee Chairperson The Finance Committee Chairperson, Mr Brendan Tuohy, joined the meeting and presented the Finance Committee’s Annual Report in line with the provisions of Section 45(3) of the ETB Act 2013. This report was circulated in advance of the meeting with the agenda.</p> <p>Following this update and discussion, An Cathaoirleach and the CEO thanked Mr Tuohy and the Finance Committee Members for the report, its recommendations, and their ongoing work and support for Kerry ETB.</p>
<p>5.2</p>	<p>Board Self-Assessment Evaluation Questionnaire (2022) Under Section 4 of the Code of Practice for the Governance of ETBs (CL 0002/2019), there is a requirement for ETB Boards to undertake an annual self-assessment evaluation of its own performance and that of its subcommittees. The Code also sets out that it is best practice for an ETB to appoint an external facilitator to carry out this self-assessment every 2-3 years.</p> <p>At the July 2022 Board meeting, the Board was advised that a third-party supplier would be appointed to conduct the 2022 self-assessment after the summer period. Following a tender process, the successful supplier appointed was Governance Ireland, an independent consultancy firm specialising in governance services.</p> <p>Over the months of September and October 2022, Governance Ireland engaged directly with Members of the Board to (1) complete the self-assessment form and (2) conduct individual interviews. Interviews were also conducted with relevant Members of the Executive. Following this process, on December 1st, 2022, Governance Ireland produced a self-assessment report, the contents of which were circulated to Board Members before the December 2022 Board meeting and tabled at the meeting for discussion.</p> <p>At the December 2022 Board meeting, it was decided to defer the discussion on the report to a later meeting, allowing for more time for An Cathaoirleach to lead a discussion on the report’s findings and recommendations.</p> <p>The Board Self-Assessment Evaluation Questionnaire (2022) was circulated with the June 6th, 2023 meeting agenda to Board Members. During the meeting, An Cathaoirleach led a discussion on the report’s findings and recommendations, which included the following:</p>

	<ul style="list-style-type: none"> • The overall score of 4.5 in the report indicates a ‘very high level of satisfaction among Board Members about structures, processes and effectiveness and suggests a healthy state of Board Structure, Policies, and Internal Relationships.’ • The scoring for each Section 45 Committee, i.e. Audit and Risk and Finance Committees, provides consistent and high scores across each theme, i.e. 4.3 and 4.5, respectively. • Board Members reflected on the 13 recommendations included in the report and the progress made by the Executive to address these recommendations, as indicated in the progress report circulated with the agenda to Board Members (<i>Ref: Board Self-Assessment Recommendations Progress Report 2022</i>). <p>In addition, Board Members considered the recommendation in the report to introduce private time for Board Members, i.e. a period of time when Board Members would meet without the Executive present.</p> <p>Following discussion, all were in agreement that the current format, i.e. “Members Business,” is sufficient to deal with matters arising on behalf of Members. An Cathaoirleach reminded Members of some aspects of the chairperson’s role as constituted by Section 2 of CL 0002/2019, particularly the chairperson’s responsibility to lead the Board and uphold the highest standards of integrity, good behaviours and a good Board culture. He advised any Board Member with a potential issue/area of concern in the future to contact him directly.</p> <p>The Board noted this.</p> <p>An Cathaoirleach concluded the discussion by thanking his fellow Board Members and the Executive team for their ongoing commitment to the Board, commending their collective and progressive efforts and commitment to good governance.</p>
--	---

06/2023/6	Governance Rialachas
6.1	<p>Strategy Statement, as per Section 27 (6) ETB Act 2013 (Matters Arising Section 4.11) – for adoption The draft Strategy Statement 2023-2027 was circulated to Board Members in advance of the meeting with the agenda.</p> <p>Board Members noted that the strategy sets out the following five goals:</p> <ul style="list-style-type: none"> • Excellence in education and training services • Strong, inclusive and respectful organisational culture • Opportunities for greater organisational synergies • A leader in education and training services • Communications, brand awareness and a shared understanding of Kerry ETB <p>In line with Section 27(6) of the ETB Act 2013, the Director of OS&D, Ms Maria Brennan, presented the finalised Strategy Statement 2023-2027 for Board approval.</p> <p>The Board unanimously adopted the strategy statement as presented.</p> <p style="text-align: center;">Proposed: Cllr. Johnnie Wall Seconded: Cllr. Deirdre Ferris</p> <p>The Board thanked the Director of OS&D and other members of staff that assisted in the development of the new strategy. The CEO joined in the words of appreciation, adding that he welcomed the opportunities this new strategy would create for Kerry ETB over the next five years.</p> <p>It was noted that the formal launch of Strategy Statement 2023-2027 would take place on Thursday, June 22nd, 2023, in Tech Amergin FET Centre in Waterville.</p>
6.2	<p>Annual Report 2022, as per Section 28 of the ETB Act 2013 <i>Agenda item was deferred to the next June meeting.</i></p>
6.3	<p>Chairperson’s Comprehensive Report to the Minister for Education, as per Sections 6.8 and 6.9 of the Code of Practice for the Governance of ETBs <i>Agenda item was deferred to the next June meeting.</i></p>

6.4	<p>Risk Management Update</p> <p>The up-to-date Corporate Risk Register, Version 1.2, 2023, was circulated to Board Members with the agenda for the meeting—all noted the new control added to the “risk of potential energy or fuel shortages for the organisation and its staff”.</p> <p>Thanks were shared with the Chief Risk Officer, Ms Maria Brennan, for this update.</p>
6.5	<p>Kerry ETB Policies – <i>for approval</i></p> <p>The following policy, as circulated with the agenda, was presented for approval by Ms Maria Brennan, Director of OS&D:</p> <ul style="list-style-type: none"> • Continuous Professional Development Policy and Procedure (Revision) <p>The Board approved the above-listed policy as presented.</p> <p style="text-align: center;">Proposed: Cllr. Marie Moloney Seconded: Cllr. Terry O’Brien</p> <p><u>Draft Kerry College Admissions Policy</u></p> <p>Mr Owen O’Donnell, Director of FET, presented the draft Kerry College Admissions Policy for approval.</p> <p>In considering the policy as presented, Board Member Ms Celia O’Shea raised some concerns regarding certain provisions of the draft policy, as did fellow Members Mr Joseph Brennan and Cllr Deirdre Ferris. In particular, the concerns raised by Members related to the following:</p> <ul style="list-style-type: none"> • The refusal to enrol/appeals process • The introduction in 2023 of the Common European Framework of Reference for Languages (CEFR) B2 requirement (upper intermediate) for applicants where English is not their first language for Kerry College Level 5 courses (<i>previously, the CEFR requirement for these courses was B1, i.e. intermediate</i>). <p>Following some lengthy discussion regarding these matters, An Cathaoirleach proposed the establishment of a working group to address these concerns in more detail. This was agreed, with the following members appointed to the group:</p> <ul style="list-style-type: none"> • Mr Owen O’Donnell, Director of FET • Ms Celia O’Shea, Board Member • Mr Joseph Brennan, Board Member • Mr Zaid Kassoob, Board Member

Subsequently, approval of the draft Kerry College Admissions Policy was deferred to a later meeting date to allow sufficient time for the Director of FET to address the matters raised.

Blended Working Policy (Head Office Pilot)

Ms Maria Brennan, Director OS&D and Ms Betty Corkey, Head of HR, provided an update to Board Members on the Blended Working Policy (Head Office Pilot), which included the following:

- The Blended Working Policy (Head Office Pilot) has been finalised following considerable consultation with staff and unions.
- The head office blended working pilot is due to commence on July 1st, 2023.
- An evaluation of the pilot will take place once the pilot draws to a close after the six-month period.

It was clarified that as staffing is an executive function, the policy would not require approval by the Board.

The CEO concluded the update by advising that he was looking forward to the outcome of the pilot. He added that it would be important for Kerry ETB to ensure that the blended working arrangements implemented would be suitably managed by the organisation whilst remaining fully aligned with the provisions of government policy (*Ref: Blended Working Policy Framework for Civil Service Organisations*).

The need for the Executive to remain mindful that any approach adopted for blended working ensures the continuation of the highest standards of customer service to the public was referenced by An Cathaoirleach.

A further update on the outcomes of the pilot will be addressed with the Board in due course.

The Board noted the finalisation of the policy and related updates.

6.6

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
Two Mile Community National School	23.01.23	N/A
Causeway Comprehensive School	20.02.23	Aoife Thornton, Maria O'Gorman
Coláiste Gleann Lí	29.03.23	Terry O'Brien, Joan McCrohan
Killarney Community College	24.01.23	Marie Moloney, Joan McCrohan
	22.03.23	Marie Moloney
Youthreach	26.04.23	Deirdre Ferris
Further Education and Training Centres	08.02.23	Maria O'Gorman, Deirdre Ferris, Michael Cahill
Youth Work	17.01.23	Norma Moriarty, Marie Moloney

The Board Members approved the above-listed minutes.

Proposed: Cllr. Terry O'Brien

Seconded: Cllr. Johnnie Wall

6.7

Section 44 Committees: Appointments and Vacancies

The following Section 44 Committee vacancies, as circulated with the agenda, were noted by Board Members.

Section 44 Committee	Vacancy	Nomination
Coláiste na Ríochta	1	Board of Management/Community
Gaelcholáiste Chiarraí	1	Parents' (male)
Youth Work Committee	1	Community/Other (male)
Capital and Buildings	2	External
Youthreach	1	Staff (female)

In addition to the above, the Board Members noted receipt of a comprehensive report on Section 44 Committee Membership and Vacancies, as circulated to Members with the agenda for the meeting.

With respect to the boards of management (BOM) of Kerry ETB's community national schools, Board Members were advised that, in line with the ETBI Handbook on Governance Manual for Community National Schools 2019-2023, the term of these BOMs are due to end later this year, on November 30th, 2023.

Board members noted these updates.

<p>6.8</p>	<p>Section 45 Committees: Minutes and Meeting Notes The following Section 45 Committee minutes and meeting notes, as circulated with the agenda, were presented for noting.</p> <table border="1" data-bbox="483 396 1404 548"> <thead> <tr> <th>Section 45 Committee</th> <th>Meeting Date</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>Audit and Risk</td> <td>April 24th, 2023</td> <td>Meeting Note</td> </tr> <tr> <td>Audit and Risk</td> <td>March 16th, 2023</td> <td>Minutes</td> </tr> <tr> <td>Finance</td> <td>N/A</td> <td>Annual Report</td> </tr> </tbody> </table> <p>It was noted that this documentation was circulated in line with the provisions of the CL 0002/2019 (Appendix 11 and 14, respectively).</p> <p>Members noted same.</p>	Section 45 Committee	Meeting Date	Document	Audit and Risk	April 24 th , 2023	Meeting Note	Audit and Risk	March 16 th , 2023	Minutes	Finance	N/A	Annual Report
Section 45 Committee	Meeting Date	Document											
Audit and Risk	April 24 th , 2023	Meeting Note											
Audit and Risk	March 16 th , 2023	Minutes											
Finance	N/A	Annual Report											
<p>6.9</p>	<p>Partnership Schools Boards of Management: Minutes The following Partnership Schools' Boards of Management minutes were circulated with the meeting agenda for Members' information.</p> <table border="1" data-bbox="541 996 1331 1097"> <thead> <tr> <th>Section 45 Committee</th> <th>Meeting Date</th> </tr> </thead> <tbody> <tr> <td>Scoil Phobail Sliabh Luachra</td> <td>March 6th, 2023</td> </tr> </tbody> </table> <p>It was noted that this documentation was circulated in line with the provisions of the Model Deeds of Trust and Articles of Management.</p> <p>Members noted same.</p>	Section 45 Committee	Meeting Date	Scoil Phobail Sliabh Luachra	March 6 th , 2023								
Section 45 Committee	Meeting Date												
Scoil Phobail Sliabh Luachra	March 6 th , 2023												

<p>6.10</p>	<p>Protected Disclosure Annual Report, Section 22 of the Protected Disclosures Act 2014</p> <p>Kerry ETB acknowledges the Protected Disclosures (Amendment) Act 2022 commenced on January 1st, 2023, and updates the original Act (2014). This Act provides a framework for workers to raise concerns about potential wrongdoing they have become aware of in the workplace. It assures staff that they will receive significant protection if they face penalties or suffer any detriment as a result.</p> <p>As required under Section 22 of the Protected Disclosures Act 2014, the Executive confirmed that <u>no protected disclosures</u> were received by Kerry ETB in 2022.</p> <p>In line with the provision of the Act, a Protected Disclosures report (for the calendar year 2022) will be returned to the Minister for Public Expenditure and Reform, confirming that <u>no protected disclosures</u> were received in 2022. This report will be published on the ETB's website. A copy of the report was circulated with the meeting agenda for Board Members' information.</p> <p>All were reminded that the designated officer for protected disclosures could be contacted by telephone at 066-7193900, by email at corporateaffairs@kerryetb.ie or by post to Protected Disclosures Officer, Kerry ETB, Centrepoint, John Joe Sheehy Road, Tralee, Co. Kerry V92 P2FE.</p> <p>Board Members took note of this update.</p>
<p>6.11</p>	<p>Trustees in Community Schools, ETBI Legal Services Support Unit The Board Members noted receipt of the ETBI note on Trustees in Community Schools, as circulated by ETBI's Legal Service Support Unit.</p> <p>The Director of SY&M clarified from the note that the ETB is not the trustee but appoints the trustee.</p> <p>A copy of the note was circulated to Members with the Board agenda.</p> <p>Board Members took welcomed this update.</p>

06/2023/7	<p style="text-align: center;">Executive Updates Uasdátú ón bhFeidhmeannas</p>
7.1	<p>Schools, Youth and Music Report 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"> • Causeway GAA Pitch Licence Agreement • Schools Update • An tAonad Lán Gaeilge • LSSU Legal Update • REALT Update • Louth Meath ETB Visit Advanced Manufacturing • Schools/FET Synergies • Traveller Support Teacher Update • Universal Design for Learning (UDL) – Research Project <p>In addition to her report, Ms Ann O’Dwyer, Director of SY&M, provided an update on the status of Lyreacrompane Primary School’s proposed transfer of patronage to Kerry ETB.</p> <p><u>Causeway GAA Pitch Licence Agreement (Matters Arising Section 4.1)</u> The Director of SY&M, Ms Ann O’Dwyer, advised a meeting with Causeway GAA on Thursday, May 18th, 2023: in attendance for Kerry ETB were the Director of SY&M and the Capital and Buildings Officer, Mr Pdraig O’Sullivan.</p> <p>As was advised at the April 2023 Board meeting, there had been some concerns in the local Causeway area about the proposed location of the stormwater tank under the GAA pitch as part of the school extension project designs. At the April 2023 Board meeting, the CEO confirmed that Kerry ETB’s preference was to relocate the tank to an area on the school site other than the GAA pitch.</p> <p>At a meeting with stakeholders on May 18th 2023, Kerry ETB confirmed that the proposed stormwater tank would not be located under the sports field. Additionally, it was agreed that Causeway GAA would follow up with its solicitor to finalise the license agreement within the next three weeks (June 8th, 2023).</p> <p>The Board welcomed this update.</p> <p>Relatedly, the Capital and Buildings Officer advised the Board of correspondence received on the day of the Board meeting (June 6th, 2023) from the DE in relation to the Causeway land swap. In its correspondence</p>

	<p>with Kerry ETB, the DE confirmed its approval of the land swap at the school's site. The revised map was circulated to Members for information.</p> <p>Members were advised that the approval of this land swap would be referred to Kerry ETB's legal agents to conclude matters.</p> <p>The Board welcomed this update.</p> <p>A further update will be provided at the next meeting.</p> <p><u>Lyreacrompane Primary School's Transfer Of Patronage</u> The Director of SY&M confirmed, following ongoing consultations with the Diocese of Kerry, the expected transfer of patronage for Lyreacrompane Primary School from the Diocese to Kerry ETB, effective for the 2024-2025 academic year. A formal letter of exchange confirming the patronage transfer is expected from the Diocese in the coming weeks.</p> <p>Board Members were advised that this transfer of patronage is welcomed news for Kerry ETB and the wider Lyreacrompane community.</p> <p>The Board welcomed this update.</p> <p>The Board thanked the Director of SY&M for her update.</p>
7.2	<p>Further Education and Training Report The Director of FET, Mr Owen O'Donnell, presented the Further Education and Training Report at the meeting. The report addressed the following:</p> <ul style="list-style-type: none"> • FET Beneficiaries • Tertiary Pathways Project • Offshore Wind Energy Skills and Workforce Advisory Group • Regional Dialogue Initiative Meeting • FET Centres • Celebration for the Ukrainian Community • Board of An Disart • Kerry College Admissions Policy <p>The Board Members thanked the Director of FET for his updates.</p> <p>Concluding the update, An Cathaoirleach requested a meeting with the Director of FET and Kerry College's Killorglin Campus Manager to discuss matters pertaining to the Kerry College Commercial Diving course.</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
- Internal Controls

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

7.4

Finance Report

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

- Finance Update
- ETBI Annual Subscription 2023 (Matters Arising Section 4.2)/ETB Projected Funding Allocation 2023
- Head Office Service Charges
- Schools' Contribution Memo
- Diocese of Kerry Legal Fees

Finance Update

The Head of Finance, Mr Tommy Conroy, presented a summary of finances as of April 30th, 2023, as follows:

KERRY ETB CASH GRANTS AS AT 30TH APRIL 2023				
ITEM	Opening Grant Cash Balance *	Receipts	Payments	Closing Grant Cash Balance
Main Scheme				
Pay			(9,912,377)	
Non Pay			(946,223)	
Main Scheme Total	360,447	9,276,063	(10,858,600)	(1,222,089)
Associated Main Scheme	952,347	229,919	(345,087)	837,178
Capital	4,611,247	1,935,266	(3,867,959)	2,678,554
Further Education	1,938,910	14,328,500	(16,022,234)	245,176
Youth Affairs	92,933	363,512	(343,469)	112,975
Agency	445,171	417,668	(380,525)	482,314
Self-Financing	912,130	177,185	(304,849)	784,466
Total:	9,313,185	26,728,112	(32,122,722)	3,918,574

The Board Members noted this update.

ETBI Contributions 2023 (Matters Arising Section 4.1)

At the March 2023 Board meeting, Members of the Board and Executive noted receipt of the 2023 annual subscription from ETBI (*Ref: March 2023 Board meeting minutes*). The annual costs to Kerry ETB for 2023 were broken down as follows:

The ETBI Annual Subscription costs to Kerry ETB for 2023 are as follows:

1. ETBI Membership fee	€50,000
2. Fixed project fund	€36,250
3. Variable project fund	€16,614
Total	€102,864

In addressing this matter, the Head of Finance drew Board Members' attention to the "ETB Project Funding Allocations 2023" report, circulated by ETBI (included in the June 2023 meeting pack for Board Members' information).

It was noted that the circulated report provides a clear breakdown of the funding structure set out by ETBI and its proposed uses across the three fund headings; ETBI membership fees, fixed project fund and variable project fund. In particular, the document sets out the following key points:

- The fixed project fund is the same amount for every ETB and covers ongoing projects already agreed upon by the sector.
- The variable project fund will be used for funding additional projects/activities in the ETBI strategy and approved by the CES' Forum. This fund is calculated using a notional 0.05% of SOLAS FET provision based on 2020.

Following receipt of this report and some deliberations, the 2023 ETBI annual contribution was presented for Board approval.

Board approval to pay the ETBI contribution, amounting to €102,864, was agreed.

Proposed: Cllr. Terry O'Brien
Seconded: Ms Joan McCrohan

In addition, as was addressed at previous meetings, a date for the ETBI General Secretary to meet with the Board is expected to be confirmed shortly.

Parent/Guardian School Contributions

At the November 2022 Board meeting, Board Members were advised that the Executive was preparing a short report addressing the levels of contributions being collected by parents/guardians across Kerry ETB post-primary schools. The report was tabled at the December 2022 Board meeting.

The review of the contributions charged showed that the contributions across schools vary but are generally charged at a 'sliding scale rate,' i.e. a

reduced rate where more than one student is enrolled. On foot of the report's findings, the Executive set out to achieve the following:

- To apply a consistent approach to charging contributions across all schools.
- To clarify the purpose of collecting school contributions across all schools.
- To explore the feasibility of reducing/eliminating the contributions in advance of the 2023/24 academic year.

Over the past several months, a working group consisting of the Director of SY&M, the Head and Deputy Head of Finance and three post-primary school principals have been working together to advance these objectives.

During the meeting, the Head of Finance advised that standardising a common contribution across all eight post-primary schools had proved challenging. Consequently, a current proposal under consideration is that a banding structure would be applied with two different fee structures based on school enrolment figures, i.e. a monetary contribution of €160 per student for schools with more than 350 enrolled students and €120 for schools with a population of less than 350.

The Head of Finance and the Director of SY&M both advised that the proposal was addressed at a Principals' meeting on May 23rd, and a follow-up meeting was scheduled for June 7th to agree on a final approach and timeline for implementation.

In the discussion that followed, Board Member Mr Joseph Brennan urged the Executive to keep the focus on moving away from charging contributions, referencing, in particular, the recent national news coverage regarding such contributions.

The CEO re-emphasised that this work is ongoing and re-affirmed that the ETB is committed to ensuring clarity and consistency re these contributions, reducing costs for parents/guardians across all Kerry ETB schools. He further advised that achieving clarity and transparency for the entire school community and the public regarding the purposes for which these funds are collected and used is essential.

A further update will be provided at the next meeting.

Diocese of Kerry Legal Fees

The Head of Finance advised that the Tahilla and Scoil An Ghleanna Community National Schools leases have been finalised and are ready to be executed (*Ref: Kerry ETB Board meeting minutes March 2023 Board meeting*).

Murphy Ramsey Walsh (MRW) Solicitors has confirmed that the Diocese of Kerry's Legal Fees for the lease transfers amount to €8,203. As agreed at

	<p>the September 29th, 2021, Board meeting, Kerry ETB will now proceed to discharge these fees (<i>Ref: Kerry ETB Board meeting minutes September 2021 Board meeting – extract included below</i>).</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>It was agreed to pay the legal fees, arising for the Diocese, as they are directly related to the transfer of patronage of the two CNSs to Kerry ETB i.e. if the patronage had not been transferred to Kerry ETB, by the Diocese, these fees would not have been incurred.</p> <p>The Board formally authorised the Head of Finance, Kerry ETB, to pay the legal fees as presented.</p> <p style="text-align: center;">Proposed: Mr. John O’Roarke Seconded: Mr. Noel Keenan</p> <p>It was noted that some matters remain outstanding and no fees will be paid until all matters are addressed (see Section 7.2).</p> <p>The Head of Finance, Kerry ETB will advise the DoE of the Board’s decision to pay the legal fees.</p> </div> <p>The Board shared its thanks to the Head of Finance for his report.</p>
6.5	<p>Corporate, Capital and Technology Report</p> <p>As circulated in advance of the meeting, the Corporate, Capital and Technology Report was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Sustainability/ Climate Action Update • Health and Safety Update • Cyber Security Update <p>An Cathaoirleach thanked the Head of CCT for her updates.</p>

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:

- Department of Education Kerry Recommendations for Increasing Capacity 2023/24 (Matters Arising Section 4.3)
- Castleisland Community College Dressing Rooms (Licence Agreement for Approval) (Matters Arising Section 4.4)
- Kerry College Killarney Campus Building Project (Matters Arising Section 4.5)
- Major Devolved Projects Summary
- Additional School Accommodation Projects Summary
- EWS/SWS Project Summary
- FET Projects Summary
- Land and Leases:
 - Scamps and Scholars Lease (Matters Arising Section 4.6)
 - Proposed Purchase of House and Lands in Listowel (Matters Arising Section 4.7)
 - Proposed Lease at 9-10 Denny Street (Matters Arising Section 4.8)
 - Lease Approvals:
 - Moyderwell Mercy Primary
 - Block E South Campus
 - Killorglin Sports and Leisure Company Limited by Guarantee
 - Applications awaiting DE/DFHERIS approval

Department of Education Kerry Recommendations for Increasing Capacity 2023-2024 (Matters Arising Section 4.3)

At the April 2023 Board meeting, Board Members were advised of correspondence from the DE (dated April 24th, 2023) regarding increasing schools' capacity for 2023-2024. Additional capacity requirements have arisen in response to current demographic needs (increased demand) during the academic year.

As part of this correspondence, the DE requested Kerry ETB to consider its capacity for the 2023-2024 academic year. Where additional capacity is required, this may be addressed using the potential existing capacity identified or by installing additional modular accommodation.

A meeting with the DE's Schools Capital Appraisal Section took place via WebEx on April 28th 2023. At the meeting, the DE provided an overview of accommodation and capacity (issues and opportunities) across Kerry in relation to available school spaces. In this context, the DE sought Kerry ETB's feedback in relation to the installation of additional accommodation at Killarney Community College and Coláiste na Sceilge, both of which Kerry ETB had submitted applications for extensions earlier in the academic year (2022-2023).

It was confirmed by the DE that the accommodation proposed would be provided through the DE Modular Framework. Kerry ETB highlighted its preference for the project to proceed by way of 'precast' modular construction.

Following further consideration and engagement with both schools' management, Kerry ETB accepted the additional accommodation by email on May 9th, 2023. The following table depicts the proposed accommodation to be provided:

School	Proposed Accommodation
Killarney Community College	6 General Classrooms 1 Music Room 1 Art Room 1 Science Lab
Coláiste na Sceilge	2 Science Labs 1 Art Room

The Board welcomed this update.

Castleisland Community College Dressing Rooms (Licence Agreement for Approval) (Matters Arising Section 4.4)

Further to the updates from the previous meetings, Castleisland Community College (CC) and Castleisland Association Football Club (AFC) have been reviewing the draft of a new license agreement to underpin the football club's proposal to construct dressing rooms for the Astro-turf pitch to the rear of the school. The review process, which involves the school BOM, was expected to be completed before the June 2023 Board meeting.

The Capital and Buildings Officer, Mr Pdraig O'Sullivan, advised that the Pitch Management Committee reviewed the proposed license agreement at its May 24th, 2023, meeting, and it is currently being considered by the school's BOM.

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

A further update will be provided at a future Board meeting.

The Board noted this update.

Kerry College Killarney Campus Building Project (Matters Arising Section 4.5)

The Capital and Buildings Officer advised the Board that communication had been received from SOLAS/DFHERIS regarding the preliminary business case templates. On May 18th, 2023, Kerry ETB received templates for the preliminary business case and the estates' strategy to advance the

SIUF (Strategic Infrastructure Upgrade Fund) projects. The templates will assist the organisation in preparing both the preliminary business case and the estates' strategy.

In addition, the organisation welcomed officials from SOLAS and DFHERIS on May 31st and June 1st, 2023, in relation to both the SIUF and SAR (Strategic Assessment Report) applications.

Following a query raised by Cllr Niall O'Callaghan, concerning the timeline for the project, the Executive confirmed that matters are progressing in line with SOLAS/DFHERIS timelines.

A further update will be provided at the next meeting.

Scamps and Scholars Lease (Matters Arising Section 4.6)

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

On April 24th, 2023, Kerry ETB received correspondence from its legal agent (MRW) confirming that the finalised signed lease had been returned to Scamps and Scholars' (Killorglin Community Childcare) legal agents. MRW Solicitors has not received the lease from the tenant's legal agents to date.

In addition, it was confirmed that Kerry ETB's appointed engineer, attended the site and surveyed the area on May 23rd, 2023. The engineer confirmed by email to Kerry ETB that the lease map, as marked out on the ground, is correct. This correspondence has been forwarded to Kerry ETB's legal agents.

Kerry ETB and MRW Solicitors continue to actively engage with the tenant's legal agents in relation to the signing of this lease.

A further update will be provided at the next meeting. The need to conclude this matter was emphasised.

Proposed Purchase of House and Lands in Listowel (Matters Arising Section 4.7)

At the April 2023 Board meeting, having considered the context and the long-term importance of the optimal strategic development of the school site, the Board approved the proposed purchase of the house and lands in Listowel for €355,000 (*Ref: Kerry ETB Board meeting minutes April 2023 Board meeting*). As advised during the April 2023 Board meeting, the proposed acquisition was to be referred to the DE for consideration.

Kerry ETB referred the proposed acquisition (based on an offer of €355,000) to the DE for its consideration by email on April 19th, 2023.

On May 4th, 2023, the Capital and Buildings Officer received a call from Mr M H, Assistant Principal Officer in the Department's Site Acquisition and Property Management Section, in relation to the proposed acquisition. During the call, Kerry ETB was advised that the designs to be submitted as part of the Stage 1 submission should include designs with the proposed property included and designs where the proposed property is excluded. The submission of the two designs would assist the DE technical team in assessing fully the merit of the proposed acquisition.

This Stage 1 submission report is presently due end of July 2023.

A further update will be provided at the next meeting.

Proposed Lease at 9-10 Denny Street (Matters Arising Section 4.8)

Following the Board's approval of this lease at the March 2023 Board meeting, an application for Department approval was submitted on April 5th, 2023. Additional queries in relation to the proposed lease were raised by the Property Oversight Group, which the CCT Department has subsequently addressed.

Kerry ETB now understands the lease will be put forward for further consideration at the next Property Oversight Group scheduled later in June 2023. Meanwhile, MRW Solicitors continue to engage with the landlord in relation to the lease.

As previously advised, Kerry ETB was to address the concerns raised in relation to the availability of staff car parking on the site or in the town centre. During the meeting, a proposal was put forward to the Board that these staff could avail of parking at the Moyderwell building (former Gaelcholáiste Chiarraí Campus), which is a c. 4-minute walk from Denny Street. The Board noted and welcomed this proposal to address car parking concerns.

A further update regarding parking will be presented at the next Board meeting.

Relatedly, it was proposed to the Board not to proceed with the license agreement at "Kelliher's site 'Station Point,' Chutes Lane/Centre Point, Tralee. Board approval for the license agreement at Kelliher's site was initially sought at the November 11th, 2022, meeting. The Capital and Buildings Officer advised that given the availability of additional space at the Moyderwell building (the old Gaelcholáiste Chiarraí building), the ETB would no longer need to proceed with the agreement.

The Board unanimously agreed not to proceed with the license agreement.

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

Lease for Approval (OS&D): Moyderwell Mercy Primary School

On May 23rd, 2023, a meeting took place with the principal of Moyderwell Mercy Primary School to review the proposal as submitted to Kerry ETB to provide temporary accommodation for Moyderwell Mercy Primary School in part of the Kerry ETB-owned Moyderwell building (the old Gaelcholáiste Chiarraí building).

At this meeting on May 23rd, 2023, Kerry ETB advised that, **given the organisation's current plans to refurbish the building into a permanent head office**, the organisation would be in the position to provide the primary school with access to the building for the 2023-2024 academic year only (as per the approval letter received from the DE on May 16th, 2023).

It was noted that the DE would provide Moyderwell Mercy Primary with some funds to undertake painting/decorating and minor works in advance of the forthcoming academic year.

Board approval was formally sought to lease part of the ground floor and rear yard of the Moyderwell building to Moyderwell Mercy Primary School under the following terms:

Moyderwell Mercy Primary School	
Justification:	Additional Classrooms for Moyderwell Mercy Primary School
Area:	c. 8,000 square feet
Rent:	€100 per annum
Term:	Academic year: September 1 st 2023 to June 30 th , 2024

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

The Board approved this lease, as per the terms presented, strictly on the understanding that it is for the academic year 2023/24 only, given the organisation's plans to refurbish this building into a permanent head office.

Lease Extension for Approval (FET): Block E MTU South Campus

As per Special Condition 12 of the lease, as executed in 2019 between the former IT Tralee (now Munster Technological University) and Kerry ETB, for Block E MTU South Campus in Tralee, Kerry ETB has the right to extend the lease for a further two-year period to July 31st, 2026. Accordingly, Board approval was sought for the extension of the following lease for Block E MTU South Campus under the following terms:

Block E MTU South Campus	
Justification:	Continuation of Kerry ETB Beauty Therapy provision
Area:	c. 8,200 square feet
Rent:	€ 58,017.47 per annum (plus VAT)
Term:	Two years: July 31 st , 2024 to July 31 st , 2026

Proposed: Mr Zaid Kassoob
Seconded: Cllr. Terry O'Brien

It was noted that the proposed lease extension is subject to Department approval.

Given the ongoing need for this building, the importance of engaging with the MTU regarding the possible extension of the lease term beyond July 31st, 2026, was noted.

The Director of FET and the Capital and Buildings Officer to follow up regarding same.

Scamps and Scholars Nominations to Board
Kerry ETB holds a 15-year lease with Scamps and Scholars for the use of lands at the Killorglin Community College site. This lease was approved at the November 2022 Board meeting and subsequently approved by the DE on January 18th, 2023.

In line with Provision 11 of the lease, so titled "Landlord to be Represented on Board of Tenant," Kerry ETB, as the landlord, has provision to appoint two persons to be 'directors of the Tenant.' In line with Provision 11 of the lease, the following two nominations to represent Kerry ETB on the Board were put forward for approval:

- Ms Fiona O'Brien, Killorglin Community College
- Ms Aileen O'Connor, Head of CCT

Proposed: Cllr. Deirdre Ferris
Seconded: Cllr. Terry O'Brien

7.7

Chief Executive Officer's Report

As circulated with the agenda, the Chief Executive Officer Report was noted by the Board and taken as read. The report addressed the following:

- Update re 5-year Strategy Statement - as per Section 27 ETB Act 2013 (Matters Arising Section 4.11)
- Head Office Accommodation (Matters Arising Section 4.10)
- Tralee Regional Sports and Leisure Company Limited by Guarantee
- Over the Water Sports Centre Company Limited by Guarantee
- Blended Working Update (Head Office Pilot)
- Organisational Design II
- Regional Dialogue Meetings
- UCC MBA Programme
- Kerry ETB Podcast Series

Head Office Accommodation (Matters Arising Section 4.10)

During the April 2023 Board meeting, the Board and Executive Members engaged in a comprehensive discussion regarding the various head office accommodation options and their associated costs. Based on the information and financials provided at the Board meeting, the Board unanimously decided to fully explore the option of permanently relocating the head office to the Moyderwell building in Tralee (former Gaelcholáiste Chiarraí building). Relocating the head office to the Moyderwell building on a permanent basis would provide a long-term solution for the ETB's head office accommodation needs (*Ref: Kerry ETB Board meeting minutes April 2023 Board meeting*). Further to the April 2023 Board meeting, on May 8th, 2023, a letter addressing these matters was issued to the DE by the Director of OS&D.

As advised at recent Board meetings, a building conditions report for the Moyderwell building has been completed, and a draft was issued to Kerry ETB on May 25th, 2023. The report explicitly sets out the cost estimates to aid Kerry ETB's application for capital funding to refurbish the building. The total cost breakdown is €4,446,253, excluding VAT. It was noted that this report will form part of the business case to be submitted to the DE, in which the ETB will formally seek permission to refurbish the building into a permanent head office.

Board Members were advised that the target is to have the business case for the refurbishment of the Moyderwell building ready for submission to the Department by the end of June 2023.

Board Members were reminded that any decision on head office accommodation is subject to the approval of the DE.

A further update will be provided at the next meeting.

	<p><u>ETBI Conference 2023</u> Board Members were advised that the ETBI Annual Conference would take place in Cork City on September 27th and 28th, 2023. Formal correspondence is expected from ETBI in the coming days.</p> <p>As authorising attendance at conferences, seminars, meetings, or events is an executive function, attendance at the conference will be addressed at the next Board meeting (proposed to be June 15th, 2023).</p> <p>The Board thanked the CEO for his updates.</p>
--	--

06/2023/8	CORRESPONDENCE COMHFHREAGRAS
8.1	DE Correspondence: Noted as listed
8.2	DE Circular Letters: Noted as listed
8.3	DE Press Releases: Noted as listed
8.4	DFHERIS Correspondence: Noted as listed
8.5	DFHERIS Press Releases: Noted as listed
8.6	Department of Children, Equality, Disability, Integration and Youth Correspondence: Noted as listed
8.7	ETBI Correspondence Noted as listed

8.8	SOLAS Correspondence Noted as listed
8.9	Other Correspondence Noted as listed

06/2023/9	MEMBERS' BUSINESS GNÓ NA gCOMHALTAÍ
-----------	--

06/2023/10	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
------------	--

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

Signed/Sínithe: _____ Date/Dáta: _____