Kerry Education and Training Board Bord Oideachais agus Oiliúna Chiarraí

Minutes of Kerry Education and Training Board (Kerry ETB) meeting held in Coláiste Gleann Lí, Tralee on Monday February 26th 2018.

In Attendance:

Cllr. Séamus Cosaí Fitzgerald
Cllr. Aoife Thornton
Cllr. Norma Foley
Cllr. Norma Moriarty
Mr. Michael O'Mahony
Ms. Maria O'Gorman
Ms. Francisse Walshe
Mr. Noel Keenan

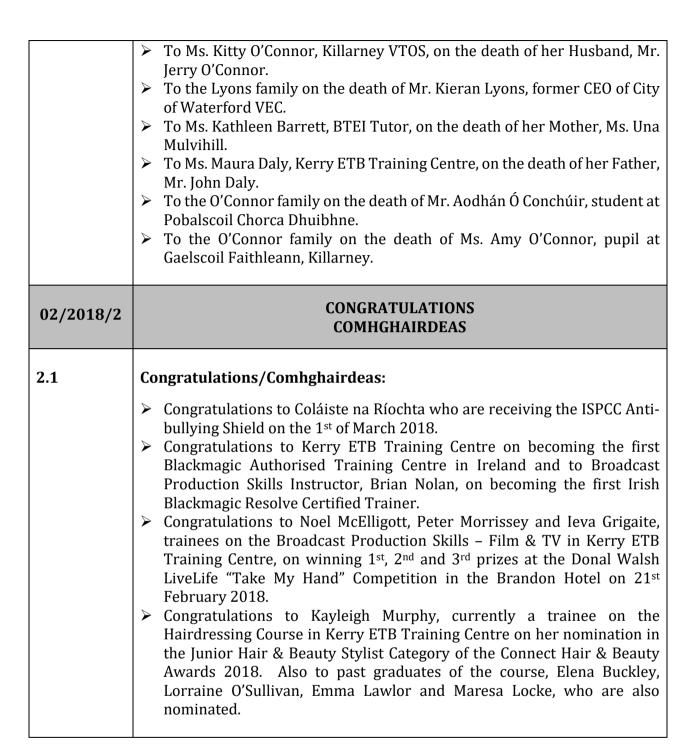
Mr. Colm Mc Evoy, Chief Executive Officer (CEO), Ms. Ann O'Dwyer, Director of Schools, Youth and Music, Mr. Owen O'Donnell, Director of Further Education and Training (FET), Ms. Maria Brennan, Director of Organisational Support and Development (OS&D), Ms. Mary O'Sullivan, Acting Head of Finance Department, Mr. Edward O'Neill, Acting Head of Corporate Support and Capital Development Department (CS&CD), Ms. Gráinne Mulvihill, Corporate Affairs Officer and Ms. Karen Griffin, Corporate Support were also in attendance.

An Cathaoirleach Cllr. Jim Finucane presided for the meeting.

As per Paragraph 10, Section 3 of the Education and Training Board (ETB) Act 2013 and the Agenda notice, no conflicts of interest were declared at the commencement of the meeting.

At the start of the meeting, An Cathaoirleach welcomed Mr. Michael O'Mahony as a new member of the ETB Board. Mr. O'Mahony was nominated for the Board by the Irish National Organisation for the Unemployed.

02/2018/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	 Apologies/Leithscéalta: Apologies for their absence were received from: ➤ Cllr. Terry O'Brien, Cllr. Damien Quigg, Cllr. John Francis Flynn and Cllr. Michael Cahill.
1.2	 Condolences/Comhbhrón: An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board: To Ms. Brenda McEvoy, Tutor, Kerry College of Further Education, on the death of her Father, Mr. Noel Lynch. To the Boyd family on the death of Ms. Rebecca Boyd, student in Causeway Community College.



02/2018/3	MINUTES OF LAST BOARD MEETING - FOR ADOPTION MIONTUAIRISCÍ ÓN gCRUINNIÚ DEIREANACH BOIRD – LE GLACADH
3.1	The minutes of the Kerry ETB meeting held on January 22 nd 2018 were adopted and signed.
	Proposed: Cllr. Jimmy Moloney Seconded: Ms. Maryanne Slattery

02/2018/4	MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ
4.1	Gaelcholáiste Nua School Building Project Update
	An update was provided by the CEO, as per the CEO's Report which was circulated with the meeting agenda.
	The CEO advised of a meeting with Kerry County Council on February 9 th 2018, and the items addressed were: > Japanese Knotweed infestations > Unofficial house back entrances > Internal access road
	This meeting was attended by the Director of Schools, Youth and Music and the Acting Head of CS&CD. Kerry County Council are to make a proposal re the removal and treatment of the Japanese Knotweed with a possible on site solution. The Acting Head of CS&CD, Mr. Edward O'Neill, updated the Board on the details of the proposal in relation to addressing the Japanese Knotweed on the map suggested by Kerry County Council. In addition Kerry County Council are to issue a letter confirming progress in addressing unofficial house back entrances.
	In addressing factors re the initial site layout, internal access road, site cut and fill costs, ball court and car park re-locations etc. raised by the Department of Education and Skills (DoES) at the meeting on November 27 th 2017, the Design Team have issue revised initial site layouts for consideration. The Design Team had planned to submit the finalised Stage One report (digital and hard copy) on Tuesday 21 st February, it is expected that this submission will be made next week. The supporting documentation from Kerry County Council will be required as part of this submission. The Board noted the report. A further update will be provided at the March Board meeting.
4.2	Monastery Primary School Killarney/Killarney Community College Land Swap Issue An update was provided by the Acting Head of CS&CD. It was reported that a letter was received from Murphy Ramsey Walsh Solicitors on January 11 th 2018 re boundary rectification for signing and sealing by Kerry ETB. This boundary rectification has been agreed with St Brendan's Trust. It was noted that the Director of Schools, Youth and Music addressed this matter with the School Principal and the school is in agreement with same.

The Acting Head of CS&CD advised that St Brendan's Trust are seeking payment of their legal fees in relation to this matter by Kerry ETB. The Board were not in agreement with same.

The Board agreed to the signing and dealing of the boundary rectification as presented. This rectification will be signed once the final draft containing the Certified Land Registry Map is provided by St. Brendan's Trust Legal Agents.

Proposed: Ms. Maryanne Slattery Seconded: Cllr. Niall Kelleher

In addition the Acting Head of CS&CD advised the Board that St Brendan's Trust were seeking clarification, as per letter received dated 7th February 2018, re the transfer of an additional piece of land from the school site to the Trust. The Board did not agree to this request as the remainder of the school site is needed for the development of a pitch for the school.

4.3 Listowel School Accommodation

It was noted that a DoES official visited the site to conduct an Architectural Assessment of the feasibility of the "on site" proposal on February 9th 2018. No official feedback has been received to date in relation to same.

The Board agreed that if the on-site solution is approved by the DoES, it can only progress on the following basis:

- ➤ All buildings constructed are in the ownership of Kerry ETB, and
- ➤ The solution proposed fully addresses the need to provide separate buildings for the Post Primary School and the Post Leaving Certificate College.

A further update will be provided when we receive feedback from the DoES.

4.4 Listellick National School Building Project Update

The Acting Head of CS&CD advised the Board that the DoES has given approval to appoint the Design Team in accordance with the 2017 Framework. The 2018 Framework had not been finalised.

The Principal of Listellick National School Principal has been notified of this development and the appointment process would take six to eight weeks.

The Board welcomed this progress.

4.5 Kerry ETB Strategy Statement Launch 2018-2022

An update was provided by the Director of OS&D and addressed the following:

- ➤ The Kerry ETB Strategy Statement 2018-22 official launch is scheduled for March 5th 2018
- ➤ The Launch Location: Cappanalea Outdoor Education and Training Centre at 12 o'clock
- ➤ The Strategy Statement will be launched by: Mr. Brendan Griffin, TD, Minister of State at the Department of Transport, Tourism and Sport.

An Cathaoirleach thanked all involved in preparing the Strategy and advised on the importance of this launch for the ETB.

4.6 Kerry College of Further Education (KCFE) Accommodation Needs Update

The Director of FET provided an update on this matter. He advised that a letter approving the lease was received from the DoES on February 13th 2018. There was a meeting with KCFE Principal February 14th 2018 to address DoES approval. In addition, on February 15th 2018 a meeting took place with Murphy Ramsey Walsh Solicitors to address draft lease etc., this meeting was attended by the Principal of KCFE, and Edward O'Neill, Acting Head of CS&CD.

A letter was issued by Murphy Ramsey Walsh Solicitors to the Landlord's Legal Agents dated February 15^{th} 2018 addressing the DoES approval etc. The text of the draft lease, is currently being finalised.

It was noted that no works etc. are to commence until the text of the lease is agreed by Kerry ETB and the Landlord. It was noted that the planning application will be made in the name of Kerry ETB and an agreement for lease will be executed. The agreement for lease will have annexed to it the final version of the agreed lease.

Progress with the matter was welcomed by the Board.

4.7 Coláiste Gleann Lí – Phase 2 Building Project Update

- The tender competition for works contract issued January 22nd 2018
- ➤ The tenders were received February 12th 2018
- > The tender analysis report has been finalized
- > The preferred bidder has been identified and a letter of intent is to issue
- ▶ Based on the current schedule the works are due to commence on Monday the 12th of March

It was noted that a 'turning of the sod' event will be organised on commencement of the works.

This progress was welcomed by the Board.

02/2018/5	EDUCATION AND TRAINING TOPICS FOR DISCUSSION ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ
	Presentation by Ms. Maryanne Lowney
	This presentation entitled, "Creating and Sustaining A Mental Health Promoting School" addressed the following:
	 Mental Health Services available to young people School Communities The Authentic Self Curriculum Reform
	Preliminary Research Results
	Presentation by Mr. Seamus Whitty
	This presentation entitled "Kerry Life Skills Plan of Work and Training Model" addressed the following:
	The current programme structureWork plan 2017/2018
	Following the presentations, the Board Members commented on the quality of the presentations and the importance of this work. The emphasis on the holistic development of the students in our schools and centres was noted.
	The CEO thanked the Director of Schools, Youth and Music, Ms. Ann O'Dwyer for her leadership and vision with both of these initiatives.
	An Cathaoirleach thanked Maryanne and Seamus for their excellent presentations and wished them continued success with their work.
02/2018/6	GOVERNANCE RIALACHAS
6.1	Risk Management An update was provided by the Director of OS&D, Ms. Maria Brennan. The Director of OS&D advised that the Risk Register continues to be reviewed and updated fortnightly by the Senior Management team (Chief Executive Officer and Directors).
	In addition, the Director of OS&D advised that Health and Safety (H&S) audits have been conducted in ten schools/centres, by Egan Safety Solutions (ESS). Based on the current schedule all school/centre H&S audits will be completed by the end of April 2018.

6.2	ETB Board Member Appointment as per Section 30(11) of the ETB Act 2013.
	The Director of OS&D advised that the election process for the male staff representative cannot commence until we receive confirmation from the DoES of a date for the electoral register. A further update will be provided at the March Board meeting.
6.3	Minutes of School Board of Management Meetings
	The minutes of the following Board of Management meetings were noted and formally approved by the Board.
	 Castleisland Community College Board of Management Meeting on 30th of November 2017
	 Causeway Comprehensive School Board of Management Meeting on 25th October 2017
	 Killorglin Community College Board of Management Meeting on 12th December 2017
	 Coláiste na Ríochta Board of Management Meeting on 14th December 2017
	Proposed: Mr. Noel Keenan Seconded: Ms. Francisse Walshe
6.4	Board of Management Vacancy
	Two Mile Community National School (CNS) – Final BOM Member to be ratified
	Mr. Michael Donovan – Community Representative
	The Board appointed Mr. Michael Donovan to the BOM of Two Mile CNS.
	Proposed: Cllr. Séamus Cosaí Fitzgerald Seconded: Cllr. Niall Kelleher
6.5	Audit Committee Presentation by the Chairperson of the Audit Committee, as per Section 45(3) of the ETB Act 2013
	The Audit Committee report was circulated at the ETB Board meeting January 22 nd 2018. The Audit Committee Chairperson, Mr Donal Fitzgibbon went through the report in detail and members were afforded the

	opportunity to ask questions in relation the report's contents. The report was retained by members.
	An Cathaoirleach thanked Donal and all the members of the Audit Committee for the report.
6.6	Kerry ETB Policies and Revisions for Approval
	Bullying Prevention Policy (ETB Staff) – developed nationally This policy was circulated with the Notice of Meeting.
	This policy as presented by the Director of OS&D was approved by the Board.
	Garda Vetting Student Policy and Procedure This policy was circulated with the Notice of Meeting.
	This policy as presented by the Director of OS&D was approved by the Board.
	Cllr. Pa Daly asked a question in relation to the Garda Vetting Policy and the interpretation of same by schools/centres. Specifically the question related to the possible impact of previous convictions on a student's participation in a course. The Director of FET and the Director of OS&D are to provide clarification on this matter.
6.7	Notice of the Signing and Sealing of Lease
	It was noted that the 21-year lease for Tralee Regional Sports & Leisure Company was approved by Kerry County Council at its January 2018 meeting. This lease had been approved by Kerry ETB at the February 2017 Board Meeting. The lease was signed and seal affixed (in triplicate) by An Cathaoirleach and Chief Executive Officer on January 25 th 2018 and authenticated by Mr. Edward O'Neill. (Mr. Edward O'Neill the authorised witness for the use of the seal as approved by the Board at the October 23 rd 2017 Meeting).
	The Board welcomed this development.
6.8	Grantor/Grantee Agreement Kerry ETB and KDYS
	The CEO advised that an email issued to the DoES November 30 th 2017 seeking a meeting. A follow up letter was issued to the DoES on January 12 th 2018. An email was sent on February 16 th seeking confirmation for meeting date.
	Letters were received from KDYS January 31st 2018 addressing:

- > Correspondence with Teachers Union of Ireland (TUI).
- Future model for the delivery of the service

A letter was issued to KDYS re the future options for the delivery of the service on February 5th 2018 and the CEO met with the Chief Executive of Kerry Diocesan Youth Services (KDYS) on February 23rd 2018.

The key issue to be addressed at the meeting with the DoES relate to:

- Future model for the delivery of the service, and
- ➤ The procurement of same as the annual value of contract is circa €1.7 million

The CEO advised that a further update would be provided following the meeting with the DoES.

6.9 Service Plan 2018

The Service Plan 2018 was presented by the Director of OS&D and Acting Finance Officer. The plan was circulated at the meeting for approval by the Board in accordance with Section 47 of the ETB Act 2013.

The Service Plan provided details of the services to be provided by the ETB in 2018 and an estimate of the income and expenditure of the Board.

The following were noted:

- ➤ Receipts Target DoES 2018 €165,000
- ➤ Expenditure limit DoES 2018 €1,520,409
- ➤ SOLAS initial allocation 2018 €24,470,000. The Final bid for 2018 funding is due for submission to SOLAS by March 3rd 2018.

The Board was advised that the Service Plan as presented was approved by the Finance Committee at their meeting on February 21st 2018

The Service Plan as presented was adopted by the Board, without any modifications, as per Section 47(3) (a) ETB Act 2013.

Proposed: Mr. Noel Keenan Seconded: Cllr. Norma Moriarty

6.10 ETBI Annual Subscription 2018

It was noted that the 2018 ETBI annual subscription invoice was received January 22^{nd} 2018. The Kerry ETB ETBI annual subscriptions for 2018 is €42,700 and this was paid on 2^{nd} February 2018.

This was noted by the Board.

02/2018/7	CEO'S REPORT & QUESTIONS ON CEO'S REPORTS / TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH & CEISTEANNA ORTHU
7.1	Finance Report:
	Board members noted the Finance Report as presented by the Acting Head of Finance, Ms. Mary O'Sullivan.
	The report was circulated to the Board and noted. It was also noted that the Finance Committee will meet on 28th March 2018 and the next Audit Committee Meeting is scheduled for 15th March 2018.
	With regard to the 2017 Accounts, the Acting Head of Finance advised that work is on schedule for the submission of the 2017 Accounts to the DoES by $1^{\rm st}$ April 2018. This is the statutory deadline for same as set out in Section 51 of the ETB Act 2013. A further progress update will be issued to the DoES on March $9^{\rm th}$ 2018.
	Buildings Report: The Buildings Report, as circulated with the Meeting Notice, was presented by Mr. Edward O'Neill, Acting Head of CS&CD. The report addressed the following:
	 Coláiste na Ríochta Universal Access Works – Emergency Works Application issued to the DoES. Boiler Replacement – Commenced and are on Site.
	 Causeway Comprehensive School Electrical Works (Summer Works Scheme 2016) – Works Completed. Additional Accommodation Needs – Work in progress. Metalwork Room – Funding Granted - Procurement of Equipment has commenced.
	Castleisland Community College • Science Room refurbishment – Contractors are on site.
	 Killarney Community College Emergency Works – Roof Repair – Contractor is on site. Autistic Spectrum Disorders Unit – Planning of unit and accommodation in Killarney has commenced.
	 Coláiste na Sceilge Heating / Piping Upgrade – Completed. Ventilation – Response issued from School and sent to the DoES for comment.

Gaelcholáiste Chiarraí

• As per CEO's Report.

Kerry College of Further Education

- Car Park extension at the rear of the College On Site
- Science Room Refurbishment On site

Coláiste Gleann Lí - Phase 2

- Four Tenders have been received.
- Recommendation of Contractor and Letter of Intent to issue, as addressed under 4.7 matters arising.

Listellick National School, Tralee - Roll No. 09260

• Commenced preparation of Request for Tenders - Design Team.

There were no queries/discussions in relation to the Buildings Report.

Land and Leases

Killorglin Community College Childcare Centre (Scamps & Scholars) land issue update

The Acting Head of CS&CD advised that the existing lease in place is due to expire in 2022. A letter was received from Murphy Ramsey Walsh Solicitors on February 21st 2018 attaching the lease agreement in triplicate for execution and affixing of the seal by Kerry ETB. The new lease relates to the provision of land for the development of additional car parking spaces only. The area involved was referenced on a map for the Board. It was noted that the new lease term will run in parallel with the existing lease term, i.e. it will terminate on the same date as the lease already in place, the 20th February 2022. The tenant has executed a renunciation agreement waiving any entitlement to a new tenancy, this executed renunciation agreement has been retained on file by Murphy Ramsey Walsh Solicitors.

The Board approved signing and sealing of the lease as presented.

Proposed: Ms. Francisse Walshe Seconded: Cllr. Séamus Cosaí Fitzgerald

The lease was signed and seal affixed by An Cathaoirleach and the Chief Executive Officer and was authenticated by Mr. Edward O'Neill. (Mr. Edward O'Neill the authorised witness for the use of the seal as approved by the Board at the October 23rd 2017 Meeting).

Block T, Monavalley Industrial Estate, Tralee, Co. Kerry as approved at the September $4^{\rm th}$ 2017 Board Meeting

An update was provided by the Director of FET, Mr. Owen O'Donnell. He stated that when the lease was previously approved by the Board at the September $4^{\rm th}$ 2017 Meeting and subsequently by the DoES, it was for a term of 5 years.

Prior to the execution of the lease the Landlord requested that the ETB sign a Renunciation Agreement. Such agreement would mean that Kerry ETB would have no right of renewal at the end the lease term.

The terms of the lease, as previously approved by the Board on September 4^{th} 2017 and the DoES were as follows:

- > 5-year Term
- ➤ Rent of €56,000 per annum plus VAT
- Unit size approximately 16,067 square feet
- ➤ Date of execution: 1st October, 2017
- ➤ Date of termination: 31st August, 2022

Having consulted with Murphy Ramsey Walsh Solicitors, the Director of FET advised that the most effective way to protect the ETB's option to extend the lease beyond the 5 year term was to revise the terms of the lease as follows:

- 10-year Term
- 5-year Break Clause
- 5-year Rent Review
- Rent of €56,000 per annum plus VAT
- Unit size approximately 16,067 square feet
- Renunciation Agreement to be signed to take effect at the end of 10 years
- Date of execution: 1st December 2017
- Date of termination: 30th November 2027

The Landlord is in agreement with the revised terms as presented.

The Board approved the revised lease terms as set out above on the basis that it would protect the ETB's renewal interests in relation to this building at the end of five years, should the ETB wish to exercise this right at that time. It was noted that the revised terms as agreed are subject to DoES approval.

Proposed: Cllr. Jimmy Moloney Seconded: Cllr. Séamus Cosaí Fitzgerald

7.2 Report - Chief Executive Officer

The CEO presented his report which was circulated with the meeting agenda. The report addressed the following:

- Gaelcholáiste Chiarraí School Building Project Update.
- ➤ Kerry ETB and KDYS Youthreach (100 places annually) Grantor/Grantee Agreement.
- ➤ Kerry ETB Five-Year Strategy Statement (as per Section 27 ETB Act 2013) Update.
- ➤ Tralee Regional Sports and Leisure Company Limited by Guarantee.

- ➤ Listowel School Accommodation Update.
- Coláiste Gleann Lí Building Project.

In addition the CEO referenced an email dated 31st January 2018 received from the Principal of Pobalscoil Chorcha Dhuibhe, Mr. Pádraig Firtéar. The email addressed the construction of a new relief road adjacent to the school site. It was noted that this new road construction would have no cost implications for the school and would not impact negatively on the school. This matter was noted by Board.

Use of School Buildings Outside of School Hours

The CEO also referenced the DoES Guidelines for the use of school buildings outside of school hours as circulated with the meeting notice.

7.3 Schools Report - Director of Schools, Youth and Music

The Director of Schools, Youth and Music's Report was circulated prior to the meeting and was noted as read. The report addressed:

- > Student Awards 2017.
- Post of Responsibility Circular Letter 0003/2018.
- ➤ Computer Science.
- > PE Strategic Plan.
- > Child Protection.
- Music Generation.

7.4 Further Education and Training Report - Director of FET

The Director of FET's report was circulated at the meeting and presented by Director of FET, Mr. Owen O'Donnell. The report addressed:

- ➤ Beneficiaries 2017.
- > 2017 Provisional Out-turn.
- > Training Centre Capital 2017.
- ➤ SOLAS Strategic Planning 2018-2020.
- ➤ 2018 Open Days.
- > Training Centre Block T, Monavalley.
- ➤ KCFE Denny Street.
- FET Fair 2018 Brandon Hotel 19th April 11.00am to 6.00pm.
- New Course Directory 2018/19 Launch at FET Fair.

Cllr. Norma Moriarty asked if a mechanism could be established match to students who want to take up an apprenticeships with potential employers. The CEO advised that the PLC review made provision for some 500 places nationally to be allocated for pre-apprenticeship programmes. He advised that if we had pre-apprenticeship courses running in our PLC Centres then it may be possible to link the participants with employers.

7.5	Organisational Support and Development Report - Director of OS&D
	The Director of OS&D report was presented as read. The report addressed:
	Health & Safety Tender Update.ETB Strategy Statement Launch.
	BOM Appointments.
	> Board Membership.
	Policies for approval.
7.6	Members' Business (motions)
	The retirement letter of the General Secretary of ETBI was noted. An Cathaoirleach requested that a letter be issued to Mr. Michael Moriarty, thanking him for his service as General Secretary of the ETBI.
	Mr. Noel Keenan requested that the 'Parent's Association Feedback' be listed as an Agenda item at ETB Board meetings. The Board agreed same.
02/2018/8	CORRESPONDENCE
	COMHFHREAGRAS
8.1	DES Correspondence: Noted as listed
8.2	DES Circular Letters: Noted as listed
8.3	DES Press Releases: Noted as listed
8.4	ETBI Correspondence: Noted as listed
8.5	SOLAS Correspondence Noted as listed
8.6	Other Correspondence: Noted as listed
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02/2018/9	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
9.1	March 2018 ETB Board Meeting: It was noted that the next Kerry ETB Board Meeting for 2018 would take place in Kerry ETB Training Centre on the 26th March 2018 and the April Meeting will be held in Killarney Community College.
9.2	Ms. Maryanne Slattery had a query in relation to a TUI Survey that had issued. This will be followed up by the Director of OS&D.
9.3	New Board Member, Mr. Michael O'Mahony thanked the Board for the welcome he had received at today's meeting and stated that he looked forward to working with the Board. He also thanked the Irish National Organisation for the Unemployed for his nomination and the opportunity to represent them on the Board.
	Monday March 26 th 2018 Kerry ETB Training Centre 4.15pm