

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

**Minutes** of Kerry Education and Training Board (Kerry ETB) meeting held via Video Conference on Tuesday January 26<sup>th</sup> 2021.

**In Attendance:**

Cllr. Jim Finucane  
Cllr. Norma Moriarty  
Cllr. Michael Cahill  
Cllr. Cathal Foley  
Cllr. Deirdre Ferris  
Mr. Noel Keenan  
Ms. Maria O’Gorman  
Mr. Tim Daly  
Ms. Catriona Kerin

Cllr. Terry O’Brien  
Cllr. Niall O’Callaghan  
Cllr. Johnnie Wall  
Cllr. Fionnán Fitzgerald  
Cllr. Marie Moloney  
Mr. Joe Brennan  
Ms. Joan McCrohan  
Mr. John O’Roarke

Mr. Colm Mc Evoy, Chief Executive Officer (CEO), Ms. Maria Brennan, Director of Organisation Support and Development (OS&D), Mr. Owen O’Donnell, Director of Further Education and Training (FET), Ms. Ann O’Dwyer, Director of Schools, Youth and Music (SYM), Mr. Tommy Conroy, Finance Officer, Ms. Aileen O’Connor, Head of Corporate, Capital and Technology (CCT) Department, Ms. Betty Corkey, Head of Human Resources, Ms. Maryanne Lowney, Support to Directors of FET and SYM, Mr. Pdraig O’Sullivan, Buildings Officer, Ms. Patricia Tierney, Executive Support, Ms. Karen Griffin, Executive Support and Catherine Horgan, Executive Support were also in attendance.

**As per Section 1.18 of Circular Letter 0002/2019, the conflict of interest document was circulated electronically to be signed prior to the meeting to the Members (a copy of which is attached to the minutes). The Chairperson asked Board Members to verbally declare any conflicts of interest before commencing with the meeting.**

<b>01/2021/1</b>	<b>APOLOGIES &amp; CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN</b>
<b>1.1</b>	<b>Apologies/Leithscéalta:</b> There were no apologies for this meeting
<b>1.2</b>	<b>Condolences/Comhbhrón:</b> There were no condolences for this meeting
<b>01/2021/2</b>	<b>CONGRATULATIONS COMHGHAIRDEAS</b>
<b>2.1</b>	<b>Congratulations/Comhghairdeas:</b> Congratulations to: ➤ Marissa Hanley, Causeway Comprehensive School, winner of the annual Kerry ETB Christmas Card Competition.

	<ul style="list-style-type: none"> <li>➤ Apprentice Commis Chefs along with their instructor Simon Regan who prepared a meal for the residents of Taobh Linn Social Centre in Kenmare on the 22<sup>nd</sup> December 2020.</li> <li>➤ Lily Eyers, who represented Killorglin Community College at the BT Young Scientist and Technology Exhibition.</li> <li>➤ The winners of the Ballylongford Magazine writer's competition. These talented ladies were on the Community Education Creative Writing course.</li> </ul>
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<b>01/2021/3</b>	<b>MINUTES OF LAST BOARD MEETING - FOR ADOPTION MIONTUAIRISCÍ ÓN gCRUINNIÚ DEIREANACH BOIRD - LE GLACADH</b>
<b>3.1</b>	<p>The minutes of the Kerry ETB meeting held on December 8<sup>th</sup> 2020 were adopted and signed.</p> <p style="text-align: center;"><b>Proposed: Ms. Joan McCrohan</b> <b>Seconded: Cllr. Deirdre Ferris</b></p>

<b>01/2021/4</b>	<b>MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ</b>
<b>4.1</b>	<p><b>Gaelcholáiste Nua School Building Project Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O'Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ As advised at the ETB Board Meeting on December 8<sup>th</sup> 2020, Kerry ETB received the Stage 3 Tender Report for the appointment of the Main Contractor from the Design Team Lead (Oppermann Associates) on November 24<sup>th</sup> 2020.</li> <li>➤ Following review of this report from the Design Team Lead, on November 24<sup>th</sup> 2020 Kerry ETB issued a letter to Mr. Gary O'Doherty, Principal Officer (PO) requesting approval from the Department of Education (DoE) to issue a letter of intent to the recommended successful contractor, in accordance with the Service Level Agreement (SLA) between Kerry ETB and the DoE.</li> <li>➤ On January 14<sup>th</sup> 2021, Kerry ETB received formal approval from the DoE to proceed with issuing the "Letter of Intent" to the successful Main Contractor.</li> <li>➤ On January 15<sup>th</sup> 2021, Kerry ETB issued the "Letter of Intent" &amp; "Letters of Regret" to the 5 No. Main Contractors.</li> </ul>

- There is a Standstill Period of 16 calendar days from the date these letters were emailed to each of the tenderers before the contract is awarded. This Standstill Period will end at midnight on January 31<sup>st</sup> 2021.

The Board welcomed this progress in the appointment of the main contractor of the project.

Regarding the appointment of mechanical and electrical reserved specialists, on January 15<sup>th</sup> 2021, Kerry ETB notified these tenders of the identity of the main contractor following the issuing of the "Letter of Intent". This notification was required to meet the requirement to notify the tenders for the mechanical and electrical reserved specialists. The deadline for receipt of reserved specialist tenders is January 29<sup>th</sup> 2021.

In addition, Kerry ETB has also received approval from the DoE to commence preparing documentation and design changes for a Change Order in relation to July 2020 Design Note on "Energy Conservation and M&E Services". This design note includes changes and upgrades to the specification of M&E Installations on new build projects. The Design Team have commenced works on documentation required to deal with this change order.

Regarding the appointment of the Clerk of Works for the project, Oppermann Associates advertised on December 16<sup>th</sup> 2020 for the appointment of a "Clerk of Works". The advertisement was listed in the Kerryman & Kerry's Eye newspapers. Interviews for the position took place over January 15<sup>th</sup> & 17<sup>th</sup> 2021 and the Clerk of Works appointment will be finalised before the main contractor commences on site.

In concluding his report, the Buildings Officer advised that following receipt of M&E reserved specialist tenders on January 29<sup>th</sup> 2021, the Design Team will undertake an assessment of the tender returns and make a recommendation for the appointment of mechanical and electrical reserved specialist.

Once the standstill period of 16 calendar days for the appointment of the Main Contractor has elapsed (January 31<sup>st</sup> 2021) and once the main contractor's details have been verified i.e. (proof of insurance, bond, tax clearance as detailed in Letter of Intent) the Design Team will prepare a Stage 2 Supplementary Tender Report.

The Buildings Officer advised once this work is completed Kerry ETB will issue this supplementary tender report to the DoE and request approval to issue the Letter of Acceptance to the main contractor.

It is expected that work on site will commence early March 2021 and based on the current time lines will take circa 75 weeks.

	<p>An Cathaoirleach in acknowledging the progress reports complimented the Director of OS&amp;D, the Head of the CCT Department and the Building Officer for their work.</p> <p>It was agreed to issue a letter of invitation to the Minister for Education for the official turning of the sod, date to be confirmed, subject to the living with COVID-19 restrictions, the evolving pandemic and public health advice.</p> <p>The Board welcomed this comprehensive update.</p>
<p><b>4.2</b></p>	<p><b>Listowel School Accommodation Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ It is expected that 2 No. Prefab Units will be installed and operational by the end of January 2021.</li> <li>➤ Kerry ETB have awarded contracts to 6 No. Suppliers for the delivery of equipment to the Construction Studies and Applied Technology Departments of Coláiste na Ríochta. This represents an overall purchase of c. €75,000 of machinery.</li> <li>➤ Funding under the Emergency Works Scheme to upgrade the heating system within the school of c. €105,000 has been approved. Giles O’Connor Engineers will be appointed as consultant to advance the project for Kerry ETB.</li> </ul> <p>In addition, a Property acquisition form (business case) for the proposed purchase of Unit 1 Listowel Business Development Centre, Listowel Business Park, Listowel Co. Kerry V31 PC79 was submitted to SOLAS – see 4.8 below.</p> <p>The Board noted this update.</p>
<p><b>4.3</b></p>	<p><b>Listellick National School Building Project Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Pdraig O’Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ As advised at the ETB Board Meeting on December 8<sup>th</sup> 2020, Kerry ETB on November 6<sup>th</sup> 2020 commenced advertising the pre-qualification of main contractors on E-Tenders. The deadline for receipt of the prescribed suitability assessment declaration was December 7<sup>th</sup> 2020.</li> <li>➤ Kerry ETB received nine submissions ahead of the deadline. Following receipt of submissions, the Design Team Lead Oppermann Associates prepared a pre-qualification report, shortlisting approved contractors to be included within the tendering process.</li> <li>➤ This report was received by Kerry ETB on December 14<sup>th</sup> 2020.</li> </ul>

	<p>➤ Kerry ETB issued a letter to the DoE on December 15<sup>th</sup> 2020 requesting approval to commence tendering the project. Approval for same was received January 20<sup>th</sup> 2021.</p> <p>The School Principal is being kept up to date re these matters.</p> <p>The Board welcomed this update.</p>
<p><b>4.4</b></p>	<p><b>Killorglin Community College Proposal Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Padraig O’Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB awaits approval from the DoE to finalise the proposed lease between Kerry ETB and Killorglin Sports and Leisure Company Ltd. by Guarantee for a term of 63 years from December 1<sup>st</sup> 2019 (the remaining term of the original 99-year lease, dated March 1<sup>st</sup> 1983).</li> <li>➤ The application was submitted on August 19<sup>th</sup> 2020 to the DoE’s Property Management Section. Kerry ETB awaits communication from the DoE re same.</li> </ul> <p>The Board noted this update.</p>
<p><b>4.5</b></p>	<p><b>Anaerobic Digestion Facility – Planning Appeal Update</b></p> <p>An update was provided by the Buildings Officer, Mr. Padraig O’Sullivan that addressed the following:</p> <ul style="list-style-type: none"> <li>➤ As previously advised, on July 28<sup>th</sup> 2020 Sandford Energy Ltd (Applicant) submitted a planning application to Kerry County Council (Planning Ref 20/673) for the construction of an Anaerobic Digestion Facility on the site adjacent to Causeway Comprehensive School. This facility is identical in size and nature to that in respect of Planning Ref 18/762, which was refused planning by An Bord Pleanála by decision dated June 9<sup>th</sup> 2020.</li> <li>➤ Kerry ETB on December 18<sup>th</sup> 2020 received notice from Kerry County Council of grant of planning in respect of this development (copy of grant letter circulated with the Overall Meeting Report), this grant letter is subject to a four-week appeals period with An Bord Pleanála, ending January 21<sup>st</sup> 2021 (extended due to Christmas period).</li> <li>➤ The Board was advised that Kerry ETB noted from reviewing the grant letter, the development is subject to seventeen conditions. Some of the conditions noted include monitoring and mitigating factors associated with odour, noise and pollution, but do not make specific reference to the proximity or concerns in respect of the post-primary school.</li> <li>➤ Kerry ETB have sought advice and guidance re this matter in a letter to the DoE on January 14<sup>th</sup> 2021. In addition, Kerry ETB have requested Atkins Engineering and Coakley O’Neill Town Planning to review the</li> </ul>

	<p>grant of planning and provide advice to the BOM of Causeway Comprehensive School.</p> <p>➤ Causeway Comprehensive School BOM at their meeting on January 18<sup>th</sup> 2021 discussed this matter and following consultation with external technical experts have recommend that Kerry ETB proceed with lodging an appeal to An Bord Pleanála.</p> <p>The Board approved lodging an appeal to An Bord Pleanála as recommended by the Causeway Comprehensive School BOM.</p> <p style="text-align: center;"><b>Proposed: Noel Keenan</b> <b>Seconded: Cllr. Jim Finucane</b></p>
4.6	<p><b>Kerry Diocesan Youth Service (KDYS) and Kerry ETB Mediation Update</b></p> <p>A detailed report was presented by the CEO and the Director of OS&amp;D (a copy of the report to be circulated to the Board members following the meeting). Board members were advised of the confidential nature of the mediation process.</p> <p>The report addressed ongoing communication re these matters, including communication with the Diocesan Secretary and communications over the period between the ETB's solicitor and KDYS's solicitor.</p> <p>A response from KDYS's Solicitor issued to the MHC Solicitor, this afternoon (2:07 pm) prior to the start of this Board Meeting on 26<sup>th</sup> January 2021. The contents of this email were addressed with the Board as part of the presentation report. This matter was discussed at length by Board members.</p> <p>The Board also discussed the KDYS decision to resile from the agreement of July 6<sup>th</sup> 2021, which was not, as set out at previous ETB Board meetings, acceptable to the Board of the ETB.</p> <p>Relatedly, a letter was received from the Department of Children, Equality, Disability, Integration and Youth dated January 21<sup>st</sup> 2021 addressing correspondence received from KDYS and seeking an update from the ETB (a copy of the letter from the Department was included in the presentation report for members). It appears from the Department's letter that KDYS has addressed the mediation matters in their letter to the Department. The ETB does not have a copy of this letter.</p> <p>Following the discussion, the Board agreed that there has been sufficient time, effort and expense expended in endeavoring to address matters with KDYS over a long period. It was agreed that a final letter should be issued to KDYS's Solicitor setting out that if a satisfactory response is not received from KDYS (Solicitor) by 4.00pm on Friday January 29<sup>th</sup> 2021, a letter</p>

	<p>would issue to the Department of Children, Equality, Disability, Integration and Youth requesting the Department examine an alternative independent funding mechanism for funding KDYS projects from 1/1/2022 or an earlier date. The letter will make it very clear that the ETB will continue to engage with and fund KDYS for all of 2021 unless the Department advise otherwise.</p> <p>A further update will be provided at the next Board meeting.</p>
<p><b>4.7</b></p>	<p><b>Head Office Rent Review update</b></p> <p>The Finance Officer, Mr. Tommy Conroy, advised that engagement is ongoing with the Landlords representatives and matters have not been finalised to date.</p> <p>The Board noted this update.</p> <p>Cllr. Johnnie Wall requested that the Landlord be advised of the need to address the external cleaning of the Building windows regularly. The Buildings Officer will follow up on same with Landlord.</p>
<p><b>4.8</b></p>	<p><b>Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate Sale Update</b></p> <p>Cllr. Jim Finucane advised Members that he has engaged with the estate agents for Shannon Commercial Properties Ltd in his capacity as an estate agent on a no fee basis, regarding the both the sale of Block F Industrial Unit (Ansaldo Building), Monavalley Industrial Estate, Tralee and Unit 1 Listowel Business Development Centre, Listowel.</p> <p>An update was provided by the Director of OS&amp;D, Ms. Maria Brennan and the Buildings Officer, Mr. Pdraig O’Sullivan explained that a Business Case addendum was submitted to SOLAS on January 13<sup>th</sup> 2021 addressing queries from SOLAS as per email December 24<sup>th</sup> 2020 received from SOLAS.</p> <p>On January 22<sup>nd</sup> 2021 SOLAS by email confirmed the following:  <i>“Further to your submission in relation to the above property I am pleased to confirm that a recommendation to purchase will be put to the SOLAS Board for approval at the meeting to be held on 11 February 2020.”</i></p> <p>The Board welcomed this update.</p> <p><b>Listowel Business Park Premises - Unit 1 Listowel Business Development Centre</b></p> <p>The members were advised that the feasibility of purchasing a building in Listowel to accommodate the Kerry College Listowel campus is being examined.</p>

	<p>The building is Unit 1 Listowel Business Development Centre, Listowel Business Park, Listowel Co. Kerry V31 PC79. A Business Case, as per the SOLAS property acquisition template, was submitted to SOLAS on January 13<sup>th</sup> 2021 in respect of same. The reserve price is c. €470,000 ex. VAT.</p> <p>By email from SOLAS January 22<sup>nd</sup> 2021, SOLAS advised that they are engaging with the Department of Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) further in relation to the property in Listowel and will provide an update as soon as practicable in this regard.</p> <p>The Board unanimously agreed to approve the proposal to purchase Unit 1 Listowel Business Development Centre to accommodate the Kerry College Listowel Campus.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Mr. Noel Keenan</b></p> <p>It was noted that this proposal is subject to approval from the Department and SOLAS.</p>
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01/2021/5	<b>EDUCATION AND TRAINING TOPICS FOR DISCUSSION</b> <b>ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ</b>
	<p><b>COVID-19 Update</b> An update was provided by the Director of Schools, Youth &amp; Music (SYM) and the Director of Further Education &amp; Training (FET) on the COVID-19 Response Plan progress and their ongoing contingency planning in line with the overall ETB COVID-19 Response Framework.</p> <p>The Director of SYM, Ms. Ann O'Dwyer addressed the contents of her report as circulated with the Meeting Agenda.</p> <p>The Board thanked the Director of SYM for the update.</p> <p>The Director of FET, Mr. Owen O'Donnell addressed the contents of his report as circulated with the Meeting Agenda.</p> <p>The Board thanked the Director of FET for the comprehensive update.</p> <p><b>Plean Teanga Thrá Lí Update</b> An update was provided by the Irish Officer, Ms. Aoife Ní Chonchúir on Plean Teanga Thrá Lí (Tralee Language Plan) (a copy of the report to be circulated to the Board members following the meeting).</p>

	<p>An Cathaoirleach thanked the Irish Officer for the comprehensive update.</p> <p><b>ETB Strategic Priorities 2021</b> The CEO advised that the Senior Executive had set out their Strategic Priorities for 2021, as circulated with the Agenda. The Strategic Priorities as set out in the report will help inform the Service Plan for 2021.</p> <p>The Board noted this update.</p>
<b>01/2021/6</b>	<b>GOVERNANCE RIALACHAS</b>
<b>6.1</b>	<p><b>Risk Management</b> The Director of Organisation Support and Development provided an update on Risk Management and advised the following:</p> <p>The transition to the revised risk register template is progressing. In addition, the Board was advised that the updated Corporate Risk Register was approved by the Kerry ETB Senior Executive on November 9<sup>th</sup> 2020. There are seven risk areas listed on the register.</p> <p>The Directors of SYM and FET, along with Heads of Department will update their risk registers aligned with their strategic objectives for 2021.</p> <p>The Board welcomed this progress.</p>
<b>6.2</b>	<p><b>Minutes of School Boards of Management (BOM) Meetings</b> Minutes of the following Board of Management meetings were noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>Causeway Comprehensive School</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on October 12<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Coláiste Gleann Lí</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on August 19<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Gaelcholáiste Chiarraí</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on September 11<sup>th</sup> 2019</li> <li>➤ Board of Management Meeting on March 11<sup>th</sup> 2020</li> <li>➤ Board of Management Meeting on May 27<sup>th</sup> 2020</li> <li>➤ Board of Management Meeting on July 1<sup>st</sup> 2020</li> <li>➤ Board of Management Meeting on August 19<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Killarney Community College</b> <ul style="list-style-type: none"> <li>➤ Board of Management Meeting on February 5<sup>th</sup> 2020</li> <li>➤ Board of Management Meeting on May 27<sup>th</sup> 2020</li> </ul> </li> </ul> <p style="text-align: right;"><b>Proposed: Cllr. Terry O'Brien</b></p>

	<b>Seconded: Cllr. Fionnán Fitzgerald</b>				
<b>6.3</b>	<p><b>Minutes of FET Governance Boards and BOM Meetings</b> Minutes of the following Governance Boards and BOM meetings were noted and formally approved by the Board:</p> <ul style="list-style-type: none"> <li>➤ <b>Cappanalea, NCOET, Governance and Development Board</b> <ul style="list-style-type: none"> <li>➤ Governance Board Meeting on February 20<sup>th</sup> 2020</li> <li>➤ Governance Board Meeting on April 23<sup>rd</sup> 2020</li> <li>➤ Governance Board Meeting on August 27<sup>th</sup> 2020</li> </ul> </li> <li>➤ <b>Kerry College</b> <ul style="list-style-type: none"> <li>➤ Governance Board Meeting on September 21<sup>st</sup> 2020</li> </ul> </li> </ul> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Mr. Noel Keenan</b></p>				
<b>6.4</b>	<p><b>Minutes of the Youth Work Committee</b> There were no minutes for approval at this meeting.</p>				
<b>6.5</b>	<p><b>Minutes of Partnership School BOM Meetings</b> There were no minutes for noting at this meeting.</p>				
<b>6.6</b>	<p><b>Kerry ETB Policies for Approval</b> The following policy was circulated prior to the meeting and presented to the Board for approval by the Director of OS&amp;D, Ms. Maria Brennan:</p> <ul style="list-style-type: none"> <li>➤ Portable Appliance Testing (PAT) Policy</li> </ul> <p>The Board approved the policy as presented by the Director of OS&amp;D.</p> <p style="text-align: center;"><b>Proposed: Cllr. Jim Finucane</b> <b>Seconded: Mr. Tim Daly</b></p>				
<b>6.7</b>	<p><b>Health &amp; Safety Matters Update</b> The Head of CCT Department, Ms. Aileen O'Connor provided an update addressing the following;</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #800040; color: white;">Activity</th> <th style="background-color: #800040; color: white;">Update</th> </tr> </thead> <tbody> <tr> <td style="background-color: #800040; color: white;"><b>Central Safety Policies</b></td> <td>➤ Kerry ETB COVID Response plan, Lead Worker Representative (LWR) and COVID Coordinator self-</td> </tr> </tbody> </table>	Activity	Update	<b>Central Safety Policies</b>	➤ Kerry ETB COVID Response plan, Lead Worker Representative (LWR) and COVID Coordinator self-
Activity	Update				
<b>Central Safety Policies</b>	➤ Kerry ETB COVID Response plan, Lead Worker Representative (LWR) and COVID Coordinator self-				

	<p>assessment forms revised in line with the new Work Safely Protocol.</p> <ul style="list-style-type: none"> <li>➤ An addendum containing the updates has been added to the Kerry ETB COVID response plan and circulated by each Director to the management of each school/centre to be added to their Response plans. It is also available on the Kerry ETB COVID SharePoint for all staff to access.</li> </ul>
<b>COVID-19 Measures</b>	<p>All risk assessments have been revised to take into account current Level 5 restrictions</p> <ul style="list-style-type: none"> <li>➤ In FET delivery of all courses has been moved to online platforms apart from essential practical work</li> <li>➤ Schools moved to online delivery until further updates from DOE</li> <li>➤ Head Office staff working off site apart from those whose onsite attendance is deemed essential</li> <li>➤ Access to schools and centres and offices by any staff during Level 5 restrictions must be approved by relevant Director</li> <li>➤ Revised pre return to work forms are being completed and submitted by staff to line management within 3 days of returning on site</li> <li>➤ Measures will be reviewed when Level of Restrictions changes</li> <li>➤ All LWRs and COVID coordinators completed the up-to-date self-assessment forms and submitted to relevant Directors this week.</li> </ul>
<b>Risk Assessment Program</b>	<ul style="list-style-type: none"> <li>➤ Review of risk assessments progressing online by meeting with schools and centres via MS Teams</li> </ul>
<b>Safety Committee</b>	<ul style="list-style-type: none"> <li>➤ Meeting took place on 10<sup>th</sup> December 2020 via MS Teams</li> <li>➤ Next meeting to take place on the 16<sup>th</sup> March 2021</li> </ul>
<b>Training Programme</b>	<ul style="list-style-type: none"> <li>➤ Lead Worker Representatives (LWR) and COVID Coordinators provided with updated COVID-19 training and feedback opportunities on the 7<sup>th</sup> January (FET) and 12<sup>th</sup> January (Schools) – attended by the relevant Directors.</li> <li>➤ Woodwork Machinery training for woodwork teachers postponed from January 2021 due to Level 5 Restrictions.</li> </ul>
<p>This update was noted by the Board.</p>	

6.8	<p><b>Kerry ETB Committees under Section 44 of the ETB Act 2013 - Appointments and Vacancies</b></p> <p>The Board of Management (BOM) Appointments were deferred until the next Board Meeting i.e. BOM vacancies for Castleisland Community College, Coláiste na Ríochta, and Youthreach.</p>
6.9	<p><b>Partnership School BOM Nominees – Scoil Phobail Sliabh Luachra</b></p> <p>Ratification of the following Staff Members to the Scoil Phobail Sliabh Luachra BOM for the next term to July 31st 2023 was approved:</p> <ul style="list-style-type: none"> <li>➤ Seamus O’Connell</li> <li>➤ Kevin McCarthy</li> </ul> <p style="text-align: center;"><b>Proposed: Cllr. Terry O’Brien</b> <b>Seconded: Cllr. Deirdre Ferris</b></p>
6.10	<p><b>Board of Management Appointments – Tarbert Comprehensive School</b></p> <p>The ETB appointments to the BOM were deferred until the next ETB Board Meeting.</p>
6.11	<p><b>ETB Board Self-Assessment 2020 as per Code of Practice for the Governance of ETB’s (CL0002/2019) Update</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <p>As advised at the December 8<sup>th</sup> 2020 Board Meeting, the Board self-assessment has been completed as per the provisions of the Code of Practice for the Governance of ETB’s (CL0002/2019). A summary outcome from the self-assessment was noted by the Board. It was agreed that time would be set aside at the February 23<sup>rd</sup> 2021 Board Meeting to address same with An Cathaoirleach to lead discussion re the role of the Board.</p> <p>Matters for Board Member’s consideration in these discussions include:</p> <ul style="list-style-type: none"> <li>➤ The Board to agree circa 3-5 areas for improvement over the next twelve months, with an action plan developed to set out how to proceed.</li> </ul> <p>It was decided a survey based on suggestions made by Members in the Board Assessment, would be circulated to Members to determine areas that require consideration by the An Cathaoirleach and the Board Members.</p> <p>The Board noted this update.</p>

6.12	<p><b>ETB Board Vacancies – Staff Representative as per Section 37 of the ETB Act Update</b></p> <p>The Director of OS&amp;D, Ms. Maria Brennan provided the following update:</p> <ul style="list-style-type: none"> <li>➤ As advised at the December 8<sup>th</sup> 2020 Board Meeting a Circular Letter must issue from the DoE giving Kerry ETB the timeline for a Staff Representative Election. This Circular Letter 0079/2020 was published on December 21<sup>st</sup> 2020 by the DoE.</li> <li>➤ Work on progressing the Election process is ongoing.</li> </ul> <p>The Board welcomed this update.</p>
6.13	<p><b>Institute of Public Administration – Governance Forum 2021</b></p> <p>Members were advised by the Director of OS&amp;D, that the Institute of Public Administration (IPA) have designed a Governance Forum 2021 to specifically provide advice, information and a range of supports on good governance to public organisations. Following review of the programme, Kerry ETB have subscribed to same. Over the course of the next twelve months, 18 events will take place as part of this Forum, the events taking place online as long as public health advice necessitates.</p> <p>A copy of the Forum brochure for 2021 was issued on January 20<sup>th</sup> 2021 and Board Members are advised to contact <a href="mailto:ptierney@kerryetb.ie">ptierney@kerryetb.ie</a> to register their interest in event attendance.</p> <p>The Board noted this update.</p>
6.14	<p><b>Ethics in Public Office Acts, 1995 and 2001</b></p> <p>The Director of OS&amp;D provided the following update:</p> <ul style="list-style-type: none"> <li>➤ Annual Statement of Interests - required where a person (or his/her spouse, civil partner, child or the person or child of his/her spouse) has a registrable interest, which could materially influence the person in or in relation to the performance of the functions of the directorship of Kerry ETB.</li> <li>➤ This is a statutory requirement and it is the responsibility of individuals to complete the Statement of Interests, as relevant.</li> <li>➤ Where a person does not have such an interest to disclose, that individual should complete the Statement of Nil Interests.</li> <li>➤ Forms will issue directly by email for completion.</li> <li>➤ Completed signed statements (for 2020) to be returned no later than 27<sup>th</sup> January 2021.</li> </ul> <p>The Board noted this update.</p>

6.15	<p><b>ETB Board Meeting Schedule 2021 Update</b></p> <p>The ETB 2020/21 Board Schedule approved at the Board Meeting on June 30<sup>th</sup> 2020.</p> <ul style="list-style-type: none"> <li>➤ Tuesday September 22<sup>nd</sup> 2020</li> <li>➤ Tuesday October 27<sup>th</sup> 2020</li> <li>➤ Tuesday December 8<sup>th</sup> 2020</li> <li>➤ Tuesday January 26<sup>th</sup> 2021</li> <li>➤ Tuesday February 23<sup>rd</sup> 2021</li> <li>➤ Tuesday March 23<sup>rd</sup> 2021</li> <li>➤ Tuesday April 27<sup>th</sup> 2021</li> <li>➤ Tuesday May 25<sup>th</sup> 2021</li> <li>➤ Tuesday June 22<sup>nd</sup> 2021</li> </ul> <p>It was noted that the ETB Board meetings are held on the fourth Tuesday of the month at 4:15 pm.</p> <p>In this regard, it was agreed that, the March Board Meeting will be rescheduled to March 30<sup>th</sup> 2021. The 2020 Draft Financial Statements will be presented for approval at this meeting in line with the requirements of Section 51 ETB Act 2013.</p> <p style="text-align: center;"><b>Proposed: Cllr. Terry O'Brien</b> <b>Seconded: Cllr. Norma Moriarty</b></p>
6.16	<p><b>Comptroller &amp; Auditor General (C&amp;AG) – Audit Report for presentation to the Houses of the Oireachtas</b></p> <p>The Finance Officer, Mr. Tommy Conroy provided the following update:</p> <ul style="list-style-type: none"> <li>➤ Following completion of the audit of the 2019 Annual Financial Statements the Comptroller and Auditor General’s Office has issued an <u>unqualified</u> Audit Certificate for inclusion in the Audited Financial Statements.</li> </ul> <p>An Cathaoirleach thanked the Director of OS&amp;D, the Finance Officer and all staff involved with the completion of the audit of the 2019 Annual Financial Statements.</p>
09/2020/7	<p><b>CEO’s REPORTS &amp; QUESTIONS ON CEO’s REPORTS / TUAIRISCÍ AN PHRÍOMHFHEIDHMEANNAIGH &amp; CEISTEANNA ORTHU</b></p>
7.1	<p><b>Finance Report</b></p> <p>The Finance Report up to 31<sup>st</sup> December 2020, as circulated with the Meeting Agenda, was presented by the Finance Officer, Mr. Tommy Conroy.</p>

	<p>The Report as presented was noted by the Board.</p> <p><b>IPB Insurance Premiums 2021</b></p> <p>The Finance Officer provided the following update:</p> <ul style="list-style-type: none"> <li>➤ IPB Premium 2021: €406,170 (versus €394,983 in 2020), this represents an overall increase of €11,187 (2.83%).</li> <li>➤ The majority of the increase (€7,666) is due to an increase in Professional Indemnity Insurance, which was sought on foot of the large number of devolved capital projects. Reimbursement from the Department of Education has been sought in respect of same.</li> <li>➤ Increase excluding increased Professional Indemnity: €3,521 (0.9%)</li> </ul> <p>In addition, it was noted that IPB have confirmed by email dated January 25<sup>th</sup> 2021 the following in respect of 'COVID Risk to Employees:</p> <ul style="list-style-type: none"> <li>➤ ETB's policy will operate in relation to claims brought by employees alleging contraction of COVID at work and caused by the negligence of the ETB. The level of cover is €6,500,000 any one occurrence/any one year.</li> </ul> <p>The Board noted this update.</p>
7.2	<p><b>Buildings Report</b></p> <p>The Buildings Report, as circulated with the meeting Agenda, was noted by the Board and addressed the following projects/works updates:</p> <ul style="list-style-type: none"> <li>➤ Third party use of buildings</li> <li>➤ Devolved Project – Knocknagoshel National School</li> <li>➤ Demographic needs for Academic Year 2021/22</li> <li>➤ Capital Projects for Summer 2021 – EWS 2020/21</li> <li>➤ Killarney Community College</li> <li>➤ Causeway Comprehensive School</li> <li>➤ Coláiste Gleann Lí</li> <li>➤ Coláiste na Sceilge</li> <li>➤ St. Oliver's National School, Killarney</li> <li>➤ Kerry College – Clash Campus</li> <li>➤ Kerry College, National Outdoor Education and Training Campus (formally Cappanalea)</li> <li>➤ Tech Amergin Adult Education Centre</li> <li>➤ An Tochar Adult Education Centre</li> <li>➤ Kenmare Adult Education Centre</li> <li>➤ O'Connell Adult Education Centre</li> </ul>

**Matter for Board Members Consideration:****Kerry County Council request to facilitate temporary access across the top of the school construction site (Gaelcholáiste Chiarraí Nua) for the purpose of construction to the rear of St. Brigid's Community Centre**

The Building's Officer advised of the following:

- As advised at the December 8<sup>th</sup> 2020 Board meeting, following a request from Kerry County Council, Kerry ETB are in discussions regarding the possibility of facilitating temporary access across the top of the school construction site to the rear of St. Brigid's Community Centre.
- The Board were advised that this temporary access would facilitate the construction of apartments on lands owned by Kerry County Council to the rear of St. Brigid's Community Centre.
- Kerry ETB Design Team have advised of the possible additional costs implications associated with the request and have advised that this matter cannot be finalised until the contractor has been fully appointed for the construction of the School.
- It is expected that the contractor will be appointed in February/Early March at which point Kerry County Council can engage further with Kerry ETB and the contractor re this matter.

It was noted that Kerry County Council had originally provided the site for the school to the ETB. The Board agreed that if possible this request should be accommodated.

A further update will be provided at the next Board meeting.

**Kerry ETB lands at Cloonmore, Tralee (site of Gaelcholáiste Chiarraí Nua) – Communication received from John Phelan Architects**

The Building's Officer advised of the following:

- Kerry ETB received a letter and concept drawings from John Phelan Architects on January 11<sup>th</sup> 2021 in relation to proposed development works on a site adjacent to Kerry ETB lands at Cloonmore Tralee (site of Gaelcholáiste Chiarraí Nua).
- A copy of this letter and concept drawings were circulated with the Board meeting agenda, reports etc. in advance of the board meeting.

The Buildings Officer advised that the site in question is comprised within Folios KY 27355 and KY 23750 and that the property is owned by Tulfarris CG Ltd.

The letter received from John Phelan Architects on January 11<sup>th</sup> 2021 requested the following

1. Consent from Kerry ETB to link in with the proposed public road to facilitate access to the proposed housing development.

The drawings depicted the following requirements:

1. To re-align Kerry ETB's boundary to the north of the school site, in order to facilitate car parking and access road to serve the proposed housing development, (These drawings were displayed on the screen for Board members.)

The Buildings Officer provided the Board members with an outline of the history of the site in question.

The Board were advised that the contract for the sale of this site from Kerry County Council to Kerry ETB contained the following provisions:

1. The access road in question is ultimately to be "taken in charge" by Kerry County Council. Kerry ETB is contractually obliged to transfer ownership of the "as constructed" roads, footpaths and turning points back to Kerry County Council once constructed.
2. The site was provided by Kerry County Council solely for the provision of a school and associated facilities.

The above advice was received from Kerry ETB legal advisors Murphy Ramsey Walsh Solicitors on January 21st 2021 in respect of the proposal. The Buildings Officer referenced same and this was noted by Board Members.

The Board decided not to approve the proposal as submitted by John Phelan Architects on January 11th 2021.

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

**Causeway Comprehensive School (CS) Proposed Land Swap (as circulated with the meeting agenda)**

Prior to the commencement of discussions re this matter Members were advised by An Cathaoirleach of the confidentiality of the discussions as per Paragraph 13 Schedule 3 of the ETB Act 2013.

The Buildings Officer advised the Board members that this proposal has been under consideration by the school management for a number of months and was recommended for approval by the school BOM at their meeting on January 18th 2021. The proposed land swap related to Folio 75869F (Kerry ETB) and Folio 10787.

Kerry ETB first outlined the proposal to the DoE in a letter dated August 24th 2020. On December 21st 2020, an email was received from Mr. Andrew Flood (APO Site Acquisition & Property Management Section, DoE) in relation to the proposal.

The Buildings Officer made a detailed presentation to the Board members in relation to this matter, addressing the proposed land swap details, valuation

reports, wayleaves, costs etc. Details regarding all matters were included in the Building Officer's report as circulated with the meeting notice.

It was noted that the approval of the ETB Board is required prior to full consideration of this matter by the DoE.

This matter was discussed by the Board members, with input from ETB Board members serving on the Causeway Comprehensive School BOM in favour of approval.

The Board unanimously approved this land swap proposal as presented.

**Proposed: Ms. Marie O’Gorman**  
**Seconded: Ms. Joan McCrohan**

It was noted that this proposal is subject to approval from the DoE.

#### **Land & Leases**

##### **Licence Agreement for approval by ETB Board**

The Buildings Officer advised that Board approval is being sought for the proposed Licence Agreement between Tralee Regional Sports & Leisure Company Limited by Guarantee and Tralee Skate Park Community Group.

Tralee Regional Sports & Leisure Company Limited by Guarantee is required, as leasee, to apply both to Kerry ETB and to Kerry County Council as landlords (lessors) for their consent to any proposed licensing agreement.

This matter was previously addressed and discussed at the ETB Board Meeting of February 27<sup>th</sup> 2017, June 10<sup>th</sup> 2018 and July 10<sup>th</sup> 2018 and December 8<sup>th</sup> 2020.

The terms of the proposed licence agreement are:

- Term - 10 Years
- License Fee - €1 Per Annum
- Area – 800 Square Meters

The Board gave consent for the licence agreement as presented.

**Proposed: Cllr. Terry O’Brien**  
**Seconded: Cllr. Deirdre Ferris**

##### **Awaiting DoE Sanction**

The Buildings Officer advised that we are still awaiting sanction from the DoE in respect of the following applications:

1. The proposed lease between Kerry ETB and Waterville Men’s Shed at Tech Amergin, Waterville.

	<p>2. Approval to finalise the proposed lease between Kerry ETB and Killorglin Sports and Leisure Company Limited by Guarantee. The lease with Killorglin Sports and Leisure Company Limited by Guarantee is for a term of 63 years from December 1<sup>st</sup> 2019 (the remaining term of the original 99-year lease, dated March 1<sup>st</sup> 1983).</p> <p>3. Approval to finalise the rectification of title of Raheen Old Technical School, Annaghmore, Headford, Killarney, Co. Kerry, submitted October 6<sup>th</sup> 2020.</p> <p>The Board noted this update.</p>
7.3	<p><b>Chief Executive Officer's Report</b></p> <p>The CEO's Report, as circulated prior to the meeting, was noted by the Board. The Report addressed the following:</p> <ul style="list-style-type: none"> <li>➤ Kerry ETB Head Office COVID-19 Update</li> <li>➤ Head Office COVID-19 Arrangements</li> <li>➤ Kerry ETB Calendar 2021</li> <li>➤ Partnership Schools</li> <li>➤ Kerry Diocesan Youth Service</li> <li>➤ Tralee Regional Sports and Leisure CLG</li> <li>➤ Kerry ETB and Tralee IT South Campus Acquisition</li> <li>➤ Ansaldo and Listowel Building Acquisition</li> </ul>
7.4	<p><b>Schools Report – Director of Schools</b></p> <p>The Schools Report, as circulated prior to the meeting, was noted by the Board. The Report addressed the following:</p> <ul style="list-style-type: none"> <li>➤ COVID-19 Response in Schools</li> <li>➤ Remote Training and Sessions Term 2</li> <li>➤ Remote Training and CPD</li> <li>➤ Schools Updates</li> <li>➤ Good news stories from around the schools</li> <li>➤ Youth Development Office</li> <li>➤ Wellbeing Kerry</li> <li>➤ Music Generation</li> <li>➤ Kerry Local Creative Youth Partnership (LCYP)</li> </ul>
7.5	<p><b>Further Education and Training Report – Director of FET</b></p> <p>The FET Report, as circulated prior to the meeting, was noted by the Board. The Report addressed:</p> <ul style="list-style-type: none"> <li>➤ FET Start Dates – January 2021</li> <li>➤ Course Start Dates</li> <li>➤ Lead Worker Representative/COVID Coordinator Training Update</li> <li>➤ Remote Learning</li> <li>➤ Devices – Laptop Distribution</li> </ul>

	<ul style="list-style-type: none"> <li>➤ FET Weekly Management Meetings</li> <li>➤ January 2021</li> </ul>
7.6	<p><b>Organisational Support and Development Report – Director of OS&amp;D</b> As per the <b>Governance Section 6.0</b> of the Minutes, noted by the Board.</p> <p>The Board noted this update.</p>
7.7	<p><b>Launch of inaugural Kerry ETB Sustainability Strategy 2020-2022</b> The CEO advised that the inaugural Kerry ETB Sustainability Strategy 2020-2022 is scheduled for a virtual launch at the February 23<sup>rd</sup> 2021 Board Meeting.</p> <p>The Board welcomed this update.</p>
7.8	<p><b>Members Business</b> Cllr. Deirdre Ferris asked for clarity from the Director of FET re possible course extensions for learners who may be having difficulty in engaging remotely in classes during the pandemic, rather than exclusion from the course.</p> <p>The Director of FET, Mr. Owen O’Donnell advised this was already the policy (course extensions) during the pandemic and he will address any possible deviation from this policy with management.</p> <p><b>Killorglin Youth Services</b> Cllr. Michael Cahill expressed concerns re the future of funding for services between KDYS and TUSLA in Killorglin. This was noted.</p>

<b>09/2020/8</b>	<b>CORRESPONDENCE COMHFHREAGRAS</b>
<b>8.1</b>	<b>DoE Correspondence:</b> Noted as listed
<b>8.2</b>	<b>DoE Circular Letters:</b> Noted as listed
<b>8.3</b>	<b>DoE Press Releases:</b> Noted as listed

8.4	<b>Department of Further and Higher Education, Research, Innovation and Science Correspondence:</b> Noted as listed
8.5	<b>Department of Further and Higher Education, Research, Innovation and Science Press Releases:</b> Noted as listed
8.6	<b>Department of Children and Youth Affairs Correspondence:</b> Noted as listed
8.7	<b>ETBI Correspondence:</b> Noted as listed
8.8	<b>SOLAS Correspondence:</b> Noted as listed
8.9	<b>Other Correspondence:</b> Noted as listed.

01/2021/9	<b>ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH</b>
	<p><b>Kerry ETB Board Documentation</b> The Director of OS&amp;D advised that following a review of the systems implemented for the distribution of Board documentation during the ongoing COVID-19 pandemic, we are reverting to the practice of issuing by email with a zipped file attached. Email delivery reports and read receipts will be requested from Board members.</p> <p>In this regard, files issued by reference to a link by email since July 2020 will be re-issued as a zipped file email attachment.</p> <p>Board members were reminded, as demonstrated at the December 8<sup>th</sup> 2020 Board Meeting, the Conflict of Interest forms issue via Adobe Sign to Board Members email for completion <b><u>prior to the meeting by Adobe Sign.</u></b></p>

	<p><b>Next Kerry ETB Board Meeting:</b></p> <p><b>Tuesday February 23rd 2021</b> <b>Via Videoconference</b> <b>4.15pm</b></p>
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Signed/Sínithe: \_\_\_\_\_

Date/Dáta: \_\_\_\_\_