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

**Minutes** of the Kerry Education and Training Board (Kerry ETB) meeting held in person and via video conference  $(V)^1$  on Tuesday, February  $1^{st}$  2022.

#### In Attendance:

Cllr. Jim Finucane Cllr. Terry O'Brien (V) Cllr. Aoife Thornton (V) Cllr. Deirdre Ferris Cllr. Fionnán Fitzgerald (V) Cllr. Marie Moloney (V) Cllr. Maura Healy Rae (V) Cllr. Michael Cahill (V) Cllr. Niall O'Callaghan Cllr. Norma Moriarty Ms. Joan McCrohan Mr. John O'Roarke (V) Mr. Joseph Brennan Ms. Maria O'Gorman Ms. Celia O'Shea (V) Mr. Tim Daly (V) Mr. Zaid Kassoob (V)

Mr. Colm Mc Evoy, Chief Executive Officer (CEO), Ms. Maria Brennan, Director of Organisation Support and Development (OS&D)(V), Mr. Owen O'Donnell, Director of Further Education and Training (FET)(V), Ms. Ann O'Dwyer, Director of Schools, Youth and Music (SYM)(V), Mr. Tommy Conroy, Head of Finance (V), Ms. Betty Corkey, Head of Human Resources (HR)(V), Mr. Padraig O'Sullivan, Buildings Officer (V), Ms. Patricia Tierney, Staff Officer (V), Ms. Karen Griffin (V), Executive Support and Ms. Catherine Horgan (V), Executive Support were also in attendance.

As a mark of respect, on the recent death of Coláiste Gleann Lí Teacher, Ms. Michelle O'Sullivan, a minute's silence was observed as per Section 18 of the Standing Orders.

As per Section 1.18 of Circular Letter 0002/2019, the conflict of interest document was circulated electronically, to be signed prior to the meeting, to the Members. An Cathaoirleach asked Board Members to verbally declare any conflicts of interest before commencing with the meeting.

02/2022/1	APOLOGIES & CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	Apologies/Leithscéalta:  ➤ Cllr. Johnnie Wall  ➤ Ms. Aileen O'Connor
1.2	<ul> <li>Condolences/Comhbhrón: An Cathaoirleach, Cllr. Jim Finucane expressed his sympathy and that of the Board to: ➤ To the O'Sullivan family, on the death of Ms. Michelle O'Sullivan (Flannery), Teacher, Coláiste Gleann Lí. ➤ To Ms. Elma Murphy, Teacher, Killorglin Community College, on the death of her Mother, Ms. Betty O'Connor.</li> </ul>

<sup>&</sup>lt;sup>1</sup> Virtual attendance

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> To Ms. Helen Fleming, Adult Basic Education (ABE) Tutor, on the death of
her Husband, Mr. Philip Walsh.
➤ To Mr. Karl Daly, Head Office, on the death of his Mother, Ms. Mary Daly.
> To the Troy Family on the death of Ms. Mary Troy, former Head of
Finance, Limerick and Clare ETB.
To Mr. Pádraig Kirk, Department of Education (DoE), on the death of his
Father, Mr. John Kirk.
> To the Murphy family on the death of Ms. Ashling Murphy, Teacher,
Durrow National School, Co. Offaly.

02/2022/2	CONGRATULATIONS COMHGHAIRDEAS
2.1	<ul> <li>Congratulations/Comhghairdeas:</li> <li>Congratulations to:</li> <li>➤ To Kerry College Monavalley Campus who are shortlisted as finalists in the Irish Wind Industry Awards 2021.</li> </ul>

02/2022/3	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 December 2 <sup>nd</sup> 2021 were adopted and signed.
	Proposed: Cllr. Terry O'Brien Seconded: Cllr. Marie Moloney
3.2	The minutes of the Kerry ETB meeting held on December 14 <sup>th</sup> 2021 were adopted and signed.
	Proposed: Cllr. Norma Moriarty Seconded: Ms. Maria O'Gorman

02/2022/4	MATTERS ARISING FROM MINUTES AG ÉIRÍ AS NA MIONTUAIRISCÍ		
	Further to the feedback received at the Board Self-Assessment (CL0002/2019, Section 4) meeting held on May 11 <sup>th</sup> 2021, Matters Arising		

	will now be addressed under the relevant Department/Executive Report in the Agenda:
4.1	Gaelcholáiste Nua School Building Project – update under Capital and Buildings Report (Section 7.2)
4.2	Listowel School Accommodation – update under Capital and Buildings Report (Section 7.2)
4.3	Listellick National School Building Project – update under Capital and Buildings Report (Section 7.2)
4.4	English Language requirements for some Kerry ETB FET courses – update under Further Education and Training (FET) Report (Section 7.4)
4.5	All-Irish post-primary provision in Killarney – update under Schools Youth and Music (SYM) Report (Section 7.3)
4.6	FET Provision in Killarney - update under Capital and Buildings Report (Section 7.2)
4.7	Kerry ETB Logo New Design Development – update under Chief Executive Officer's Report (Section 7.6)

02/2022/5	EDUCATION AND TRAINING TOPICS FOR DISCUSSION ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ
5.1	<b>2022 Strategic Planning Priorities – as circulated</b> The Board members were appraised on the overall priorities for 2022 with the CEO and each Director providing direct input in respect of same. In addressing the priorities for 2022 it was noted that the continued impact of the COVID-19 pandemic must be a consideration. A copy of the presentation addressing the 2022 priorities was circulated prior to the meeting.
	The Board were advised that the process is commencing for the compilation of the ETB Strategy Statement 2023-2027 and a single agenda item Board meeting will be scheduled to facilitate Board Members to discuss any strategy items they would like to see prioritised by the ETB.
	On behalf of the Board, An Cathaoirleach thanked the CEO and Directors for their updates.

02/2022/6	GOVERNANCE RIALACHAS
6.1	<ul> <li>Risk Management Update</li> <li>Staff Officer, Ms. Patricia Tierney, provided the following update:</li> <li>➤ The Risk Appetite Statement was discussed and revised by the Senior Executive and Management at their November 1st 2021 meeting.</li> <li>➤ The Board were updated on the revisions and noted this update.</li> <li>This update was noted.</li> </ul>
6.2	Internal Controls/Assurances Update The Director of OS&D, Ms. Maria Brennan addressed the following in respect of the ETB's control framework:  > CEO and Wider Management:  > Part one of the Line Management In-Service programme has been completed. Part two will recommence in February 2022.  > Board/Board Committees:  > The fifth Audit and Risk (A&R) Committee meeting of the year took place on December 16th 2021.  > Audit External/Internal:  > The audit of the ETB's annual financial statements will not be fully progressed until March 2022.  > Draft Health and Safety Internal Audit (IAU) audit report has been received, setting out a finding of Adequate for the system of internal control for the management of Health and Safety  > Receipt of Procurement audit remains outstanding. The IAU-ETB has been advised that the outcome of this audit will also be adequate.  > Internal Systems:  > Sun Financial System and Purchase 2 Pay payments system went live in January 2022  > Annual Review of Internal Controls:  > Internal Controls Questionnaire to be returned by February 4th 2022 to the Compliance Unit  > Presented to the Audit and Risk Committee on March 10th 2022  > Board Meeting with Audit and Risk Committee Recommendation on March 22nd 2022  The Board noted this update.

### 6.3 Section 44 Committee Minutes – for approval

The minutes of the following Section 44 Committee meetings were noted and formally approved by the Board:

Section 44 Committee	Meeting Date	Board Members in Attendance at S.44 Meeting
Castleisland Community College	23 <sup>rd</sup> September 2021	Cllr. Fionnán Fitzgerald, Joan McCrohan, Tim Daly
Killarney Community College	22 <sup>nd</sup> September 2021	Cllr. Marie Moloney, Zaid Kassoob

Proposed: Ms. Joan McCrohan Seconded: Cllr. Fionnán Fitzgerald

Section 44 Committee	Meeting Date	Board Members in Attendance at S.44 Meeting
Kerry College	12 <sup>th</sup> October 2021	Cllr. Jim Finucane, Cllr. Norma Moriarty, Cllr. Terry O'Brien
FET Centres	30 <sup>th</sup> September 2021	Cllr. Niall O'Callaghan, Cllr. Deirdre Ferris
Youthreach	29 <sup>th</sup> April 2021	Cllr. Deirdre Ferris, Zaid Kassoob (Noel Keenan)
Youthreach	17 <sup>th</sup> June 2021	(Noel Keenan)

Proposed: Cllr. Deirdre Ferris Seconded: Cllr. Norma Moriarty

# 6.4 Section 44 Committee – Appointments and Vacancies – Review of Board Subcommittees – Membership Proposal

The ETB Board Members' composition of section 44 committees (ETB ACT 2013) was addressed at the December  $14^{\rm th}$  2021 Board meeting. It was agreed at this meeting that the Executive would prepare a document addressing same for consideration by Board members at the January  $25^{\rm th}$  Board meeting.

The CEO addressed this matter setting out that currently, the requirement is for three ETB Board Members to be appointed to section 44 committees. Following a review of the section 44 committees including attendances etc. as advised at the December 14<sup>th</sup> 2021 Board meeting, it is proposed to reduce the Board Members appointments from three to two on section 44 committees. The document addressing same set out the rationale underpinning this proposal, including the following:

- ➤ Unequal distribution of oversight/governance
- ➤ Unsustainable for some members, particularly in the context of the return of in-person meetings
- > Potential information overload etc.

The Board were further advised that ensuring attendance is an executive responsibility identified in the Performance Delivery Agreement (PDA) held with the Department of Education (DoE).

The following proposal was made to the Board:

- ➤ A change to the current practice of appointing three ETB board member nominees to each Section 44 Committees, revising this provision to a minimum of two ETB Board Members appointed to each Section 44 Committee.
- ➤ One ETB Board Member nominee reduction on each committee would facilitate a "**Non-ETB Board member nominee**." As a non-ETB Board Member, this nominee would be appointed by the board, having the necessary experience appropriate to the Section 44 Committee.
- ➤ The ETB Act 2013, Section 44(12)(a) stipulates that, '.... the composition of those committees which, in the case of a recognised school, may include representatives of the patron, parents, staff and students of the school and such other persons who have a special interest in or knowledge of matters relating to education, as the Minister thinks appropriate.'
- ➤ To note, the legislation does not stipulate the number of ETB board members to appoint to a subcommittee (section 44) other than it is plural, suggesting at least two. The ETBI Legal Services Support Unit confirmed this via email on December 9, 2021.

Having considered this proposal, the Board formally approved same.

Proposed: Cllr. Terry O'Brien Seconded: Ms. Maria O'Gorman

#### Section 44 Committee - Vacancies - for consideration

The following Section 44 Committee vacancies were highlighted and it was noted that this table will now be updated following the approval of the change in the ETB Board Members' representation on section 44 committees.

Section 44 Committee	Vacancy
Causeway Comprehensive School	ETB Board Member
Coláiste na Ríochta	ETB Board Member Female Parent/Guardian Community
Gaelcholáiste Chiarraí	2 ETB Board Members
Killorglin Community College	Male Parent/Guardian
FET Centres	Community Nominee Learner
Youthreach	ETB Board Member Female Parent/Guardian
Youthwork	ETB Board Member
Music	ETB Board 2 Statutory 2 Community

	Nominations for appointment to these Boards will be addressed at the February Board meeting.		
6.5	Section 45 Committee Minutes for noting Minutes of the following Section 45 Committee Meetings were noted by the Board:		
	Section 45 Meeting Date Board Members in Attendance Committee		
	Audit and Risk 10 <sup>th</sup> November 2021 Cllr. Norma Moriarty, Maria O'Gorman		
6.6	Minutes of Partnership Schools Board of Management (BOM) Meetings There were no minutes for noting this month.		
6.7	Kerry ETB Policies for Approval The following policies were circulated prior to the meeting, with the meeting agenda, and presented to the Board for approval by the Director of OS&D, Ms. Maria Brennan:		
	<ul> <li>Risk Management Policy – Revised</li> <li>Risk Management Framework - Revised</li> <li>Risk Appetite Statement - Revised</li> </ul>		
	The Board approved the policies as presented by the Director of OS&D.		
	Proposed: Ms. Joan McCrohan Seconded: Cllr. Niall O'Callaghan		
6.8	ETB Board Vacancies - Parent Representatives as per Section 37 of the ETB Act Update  An update was provided addressing the process followed in addressing the vacancies:  ➤ Letter received from the Director of Schools, Ms. Ann O'Dwyer on January 20 <sup>th</sup> , 2022, advising that one nomination was received for the Male Parent Representative vacancy and one nomination for the Female Parent Representative vacancy.  ➤ The following Parent Representatives have been nominated by the ETB's National Parents Association (ETBsNPA)  ➤ Mr. Niall Lucay - Gaalshaláista Chiarraí		
	<ul> <li>Mr. Niall Lucey – Gaelcholáiste Chiarraí</li> <li>Ms. Tara Donoghue – Two Mile Community National School</li> </ul>		

As per section 37 of the ETB Act 2013 Niall Lucey and Tara Donoghue were formally appointed to the Board of Kerry ETB.

Proposed: Cllr. Deirdre Ferris Seconded: Ms. Joan McCrohan

The CEO advised that a letter would issue to the two new Members and they would be invited to attend the next Board Meeting. Board induction will also be organised for the new Board Members.

### 6.9 ETB Board Self-Assessment 2021 - for noting

Staff Officer, Ms. Patricia Tierney, Executive Support, provided the following update:

- ➤ The draft ETB Board Self-Assessment Report for 2021 has been completed and was tabled at the Senior Executive Management meeting on January 24<sup>th</sup> 2022.
- ➤ On initial review, the feedback from members is positive.
- ➤ In addressing the contents of the report, and to act in line with the ETB's Code of Governance (CL 0002/2019, Section 4), a dedicated session will be set aside for the Board later in Quarter 2 (after the submission of Quarter 1, legislation requirements, i.e. annual financial statements, service plan etc.)

The Board welcomed and noted this update.

## 6.10 Ethics in Public Office (SIPO Statements 2021)

Staff Officer, Ms. Patricia Tierney, Executive Support, provided the following update:

- 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.
- ➤ Where a person does not have such an interest to disclose, Kerry ETB requests that you would complete the Statement of Nil Interests.
- ➤ This is a statutory requirement, and it is the responsibility of individuals to complete the Statement of Interests/Statement of Nil Interests.
- Completed signed statements (for 2021) to be returned no later than January 31<sup>st</sup> 2022.

The CEO confirmed that all the statements had been returned by the Board Members and thanked the Board Members for their timely response.

# 6.11 ETB Board Meeting Schedule Kerry ETB Board Meeting Schedule 2022-2023

The proposed Kerry ETB Board Meeting Schedule for 2022-2023, as circulated with the Agenda, was presented at the meeting:

ETB Board Meeting Schedule 2022/2023		
Tuesday, February 1st 2022	Tuesday, December 5 <sup>th</sup> 2022	
Tuesday, February 22 <sup>nd</sup> 2022	Tuesday, January 24th 2023	
Tuesday, March 29th 2022	Tuesday, February 28th 2023	
Tuesday, April 26th 2022	Tuesday, March 28th 2023	
Tuesday, May 24 <sup>th</sup> 2022	Tuesday, April 25th 2023	
Tuesday, June 28th 2022	Tuesday, May 23 <sup>rd</sup> 2023	
Tuesday, September 27th 2022	Tuesday, June 27th 2023	
Tuesday, October 25th 2022		

The Board noted the update.

#### 6.12 Board Governance Calendar

Staff Officer, Ms. Patricia Tierney, Executive Support, provided the following update:

- ➤ The Kerry ETB Governance Calendar, as circulated with the Agenda, was approved by the Senior Executive Management at its meeting on May 17<sup>th</sup> 2021.
- ➤ The calendar sets out the key milestones and dates for the Kerry ETB Board and Section 44 Committees. These milestones include disclosures of interests, the service plan, the statement of internal control (SIC), the chairperson's report, annual financial statements etc.
- ➤ The calendar was developed to support management and staff with governance-related issues by setting out a clear timeline for same.

The Board welcomed this update.

#### 6.13 Kerry ETB Interview Boards

This matter was addressed at the December  $14^{th}$  2021 ETB Board meeting. The Head of HR, Ms. Betty Corkey provided the following update:

- ➤ Interview Board training is scheduled on 16<sup>th</sup> February 2022 from 2.00pm 5.00pm
- ➤ The training will include;
  - Legislation
  - > Role of the Selection Board
  - > Role of the Chairperson
  - Competency-based interviews
  - > Paperwork

This training is open to all Board Members. As noted previously an ETB Board Member has to be on an Interview Board for the Board to be valid.

A discussion took place regarding the fee payable to Board Members for participating in interview boards on behalf of the ETB. Ms. Maria O'Gorman advised that the rate payable by the ETBs is comparatively lower than that paid by other public bodies. It was agreed that this matter would be raised with the DoE and ETBI.

The Board noted this update.

## 6.14 Board Member Devices/Hybrid Meeting Arrangements Update

The provision of Board member devices to support the hybrid meeting was addressed at the December 14<sup>th</sup> ETB Board meeting.

At the December 14<sup>th</sup> Board meeting, the CEO advised that the provision of devices specifically for Board Meetings would facilitate a hybrid approach to meetings going forward where some Members may be in a position to attend in person and some remotely. All Members will have a device that will provide secure access and the technology features to participate fully in the meeting.

The devices have been personalised with automatic log-on to a Board MS Teams account and are currently being distributed. In addition, training is being provided.

The Board Members were advised of the Good Practice Guidelines for Hybrid meetings which will be circulated via the Board MS Teams after the meeting.

The Board Members welcomed the provision of the devices and An Cathaoirleach thanked all involved in the provision of same.

# 6.15 Tralee Regional Sports and Leisure Company Limited by Guarantee – Sports

The Board was advised that an email was received from Kerry ETB legal agents MRW Solicitors on December 10<sup>th</sup> 2021, advising that all

	documentation was now in place, following an almost two-year process, to enable Sports Capital to release grant funds to Tralee Regional Sports and Leisure Company Limited by Guarantee.  The CEO thanked Buildings Officer, Mr. Padraig O'Sullivan for his work in progressing and finalising this matter.  The Board noted the update.
6.16	Publication of the ETBI Strategy 2022-2024 – as circulated The CEO advised that the ETBI Strategy 2022-2024 had been launched on Friday, December 17 <sup>th</sup> , 2021. A copy of the Strategy was circulated to Board Members with the Agenda. The Board noted this update.
6.17	ETBI Annual Contribution 2022  The CEO advised that the ETBI are currently considering a proposal for a revised approach to addressing the contributions from local ETBs to the ETBI nationally.  In 2021 Kerry ETB paid circa €85,104 to ETBI with the main costs as follows:  ➤ Annual Subscription - €42,700  ➤ Contribution to the Communications Strategy Implementation - €10,000  ➤ Contribution to the Data Analytics Project - €6,250  ➤ Contribution to the ETBI staff costs - €25,000  Following discussions, An Cathaoirleach asked that a letter be sent to the ETBI seeking a directory of the current staff roles in the ETBI. He noted that there are c. forty-seven people currently employed in the ETBI at this time.
6.18	Parliamentary Questions re South Kerry Youthreach Services  ➤ The Director of OS&D advised that four Parliamentary Questions had been received on January 13 <sup>th</sup> 2022 from the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) in relation to the provision of Youthreach Services in South Kerry.  ➤ The ETB's response was sent to DFHERIS on January 18 <sup>th</sup> 2022.  The Board noted this update.

02/2022/7	EXECUTIVE UPDATES UASDÁTÚ ÓN BHFEIDHMEANNAS
7.1	Finance Update Finance Report – Monthly Figures The Finance Report up to December 31st 2021, as circulated with the Agenda, was presented by the Head of Finance at the meeting.  The Report as addressed by the Head of Finance was noted by the Board.  Finance Report – 2022 Overview The Head of Finance provided the following update:  The audit of the ETB's annual financial statements (AFS) 2020 will not be fully progressed until March 2022. Head of Finance to contact the Office of the Comptroller and Auditor General and request that the Audit of the 2021 Financial Statements (which will be submitted to the DoE by 31st March 2022) will run concurrently with the Audit of the 2020 Financial Statements with a view to closing both Audits in Quarter 2 of 2022.  The Letter of Determination from the Department of Education for 2022 was received on 31st January 2022. The Letter of Determination outlines the funding allocated by the DoE for Primary and Post Primary Schools and Head Office.  The Funding Allocation Request (FAR) Document will be submitted to SOLAS seeking the funding required for the Further Education and Training Programmes for 2022. The FAR will require approval from the Board of SOLAS prior to approval of 2022 funding.  Head Office Rent Review Update (Item 4.4) The Head of Finance provided the following update:  Letter issued to DoE on 20th January 2022 by Head of Finance.  Letter detailed the background to the rent review and outcome of the rent review process.  Letter outlined the Agreement of the Board at their meeting on 14th December 2021 to the proposed rent review terms.  To date, the Head of Finance advised that we have received no response from the DoE. The Head of Finance continues to follow up with the DoE.
7.2	CCT Update  Health and Safety (H&S) Update  The Head of the CCT Department, Ms. Aileen O'Connor provided an update addressing the following;

Activity	Update
COVID-19 Measures	<ul> <li>Head office on-site staff numbers were reduced in line with public health advice up to January 21st, 2022.</li> <li>Kerry ETB COVID Response Plan updated in line with new Public Health Advice.</li> <li>Survey carried out by Tadhg Casey Architects on eight Schools and Head Office to identify improvements in ventilation. Ventilation reports for all Kerry ETB buildings are to be finalised.</li> <li>FFP2 Masks have been provided to all Kerry ETB staff. A further review will take place on the requirement for FFP2 masks after February 18th, 2022.</li> <li>Kerry ETB are currently reviewing the recently published COVID transition protocol i.e. published January 31st 2022.</li> </ul>
Risk Assessment Program	<ul> <li>Safety inspection program is continuing.</li> <li>Five Schools and nine FET Centres have been inspected by the Health and Safety Officer, copies of inspection reports are sent to the Principal/Centre Manager and their Line Manager.</li> <li>Risk assessments are continuing in Kerry College, Monavalley Campus.</li> <li>Excellent progress has been made in implementing the safety management system.</li> </ul>
Training Programme	<ul> <li>Machinery safety training provided to woodwork teachers in December by Lee Saw Machinery</li> </ul>

This update was noted by the Board.

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

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

- ➤ Staff CPD Training on Waste Management completed in December 2021
- ➤ Sustainability Reps Meeting due on January 25<sup>th</sup> 2022 to address progress

#### **Energy Sustainability:**

- ➤ Energy Audits at Kerry ETB a priority in 2022 tender process being put in place in Q1.
- ➤ Kerry ETB are signing up as an SEAI SEC (Sustainable Energy Community)
- > Staff Energy in Education Training with SEAI being put in place for Q2 2022.

The Board noted the progress being made.

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

An update was provided by the Buildings Officer, addressing the following:

➤ The site was closed during the holiday period from 23<sup>rd</sup> December 2021 to 3<sup>rd</sup> January 2022. Level 2 pre-cast walls are continuing on-site and are

- circa 65% complete. The pre-cast roof slabs have also commenced between GL 6-12 and are advancing well.
- ➤ M&E second fix at 1<sup>st</sup> floor level is also advancing well with containment for the main services runs installed and first fix to rooms off the corridors ongoing.
- ➤ Vision Contracting Limited (VCL) remains behind the programme by c.4-6 weeks due to delays experienced with the delivery of Precast panels to the site.
- ➤ Clerk of works inspections are ongoing, and issues raised on-site are being communicated to the Oppermann Associates for review.
- ➤ As advised at the ETB Board on December 14<sup>th</sup> 2021, Kerry ETB had applied on September 28<sup>th</sup> 2021 to the DoE for approval of Change Order "CO Nr 3" as follows:
  - CO Nr 03 Additional Electrical Costs Associated with Energy Conservation and Electrical Building Services Design - €96.391.37 ex. VAT
- ➤ Kerry ETB, on January 12<sup>th</sup> 2022, received approval from the DoE to proceed with the Change Order CO Nr 03 as outlined above.

As referenced at the ETB Board meeting on December 14<sup>th</sup> 2021 the Board members received a further update in relation to a letter received by Kerry ETB on November 15<sup>th</sup> 2021 from VCL to the Design Team Lead in relation to material/input cost increased associated with the project following commencement on site.

The Board were advised that the inflation in costs is not unique to this project. It is Kerry ETB's understanding that the DoE are addressing the matter of increased costs with a number of building projects across the country.

The letter from VCL referenced convening a meeting between stakeholders under Clause 4.1 (Co-Operation Clause) of the PwCF1 – Public Works Contract for Building Works Designed by the Employer contract.

Following a review of the matter and advice received from the Standing Conciliator and Design Team Lead several meetings have been arranged between the ETB and VCL under Clause 4.1 (Co-Operation Clause), the meeting was held on a without prejudice basis.

Kerry ETB in a letter to the DoE dated November 17<sup>th</sup> 2021 sought advice and feedback from the DoE in relation to this matter. Following receipt of feedback from the DoE's Senior Quantity Surveyor (QS) on December 13<sup>th</sup> 2021, the Design Team Lead has advised the contractor to prepare a report detailing the material cost increases. Once the report is finalised by VCL and

following assessment by the ETB's Design Team the report will be submitted to the DoE's Senior QS for review and issue a determination of the claims.

The Buildings Officer advised that an email was received on January  $31^{st}$  2022 advising that one of the subcontractors on the site, Irish Gulf, who had been subcontracted by O'Reilly Concrete for the installation of Precast Concrete panels, had vacated the site during the week.

The Board noted this update.

### **<u>Listowel School Accommodation Update</u>** (Matters Arising 4.2)

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

- ➤ Kerry ETB on January 17<sup>th</sup>, 2022 received an email from the DoE advising of an offer of an extension for Coláiste na Ríóchta under the Additional Accommodation Scheme, the offer of accommodation is in response to the ETB's revised ASA Application submitted on May 19<sup>th</sup> 2021.
- ➤ Kerry ETB have confirmed with the DoE via a telephone call that the extension is provided on the basis of FET Provision relocating to the new premises and the existing property reverting to Post Primary School use. The proposed extension includes:
  - > Technology Room & Preparation Room and Store
  - ➤ 1 Science Lab & Store
  - ➤ 1 DCG Lab
  - ➤ Home Economics Room
  - ➤ 3 Offices
  - > Extension to Engineering Room
  - > Fitness Suite for PE
  - ➤ 3 Class SEN Base & Associated Sensory Garden
  - ➤ Associated Staff, Student Toilets and Ancillary Accommodation.
  - ➤ Additional Play Area and Car Parking
- $\triangleright$  The overall proposed extension is 1,849m<sup>2</sup> (19,900 sq. ft.).
- ➤ The DoE are also proposing alterations as follows to the existing school accommodation:

Alterations to Existing Building			
Room 10 – Existing Home Economics Room to become	1	87.1m <sup>2</sup>	87.1m <sup>2</sup>
the new Classroom for EBD Class			
Room 11 - Existing Science Demo Room to be	1	49.2m <sup>2</sup>	49.2m <sup>2</sup>
converted to General Classroom use			
Rooms 9 & 8 to be combined to create a larger staff	1	109.9m <sup>2</sup>	109.9m <sup>2</sup>
room			

In addition, the Gaelscoil Lios Tuathail is proposed to be co-located on the ETB site and the accommodation will comprise of an 8 Classroom Primary School with a 2 Class SEN Base (comprising 1900m<sup>2</sup>).

The Board welcomed this progress. It was noted that given the proposed density of having the Gaelscoil and Coláiste na Ríochta on the site, the acquisition of the house and lands to the rear entrance of the ETB site may need to be considered by the DoE. The DoE haven been advised of this previously.

The DoE have also sought agreement from Kerry ETB to deliver the construction of the Gaelscoil Lios Tuathail and Post-Primary School extension as one project and have the delivery of the project devolved to Kerry ETB.

The Board formally approved this proposal.

Proposed: Ms. Maria O'Gorman Seconded: Ms. Joan McCrohan

<u>Listellick National School Building Project Update</u> (Matters arising 4.3) An update was provided by the Buildings Officer, Mr. Padraig O'Sullivan addressing the following:

- ➤ Works have progressed well during the holiday period and early January. Blockwork is ongoing on site and scaffolding has been erected to progress the blockwork to gable level. The steel frame for the GP Hall has been installed on-site and blockwork has also progressed in this area. Site development works are well advanced with the site drainage install near completion and connections to the local main network on the main access road completed.
- ➤ A site meeting took place with the Design Team and Main Contractor on site on January 13<sup>th</sup>, 2022.
- ➤ Bi-weekly meetings have been arranged with school management to ensure updates are provided on all matters associated with the project as well as discussing matters in relation to transition program and plan re procurement of loose furniture and equipment
- ➤ Kerry ETB at present expect a substantial completion is October 7<sup>th</sup>, 2022.

The Board welcomed this update.

## Capital and Buildings Report - Project Update (as circulated) Ongoing Projects

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

- Castleisland Community College
- ➤ Killarney Community College
- ➤ Killorglin Community College
- Causeway Comprehensive School extension

- Coláiste Gleann Lí
- Coláiste na Sceilge
- > Knocknagoshel National School
- > St. Oliver's National School, Killarney
- ➤ Unit 1, Listowel Business Development Centre
- > O'Connell Further Education Centre
- ➤ Kerry College Clash Campus

#### **Killarney FET Accommodation Update** (Matters arising 4.6)

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

- As advised previously, Kerry ETB has received the preliminary cost plan from the appointed Design Team, the proposed, estimated cost of the development of the site is in the range of c. €17m to €20m (this estimate was preliminary and the full extent of costs could not be ascertained until the completion of a full detailed business case, etc.)
- ➤ Kerry ETB on December 20<sup>th</sup> 2021, received a letter from the CEO Kerry County Council outlining Kerry County Council support for this proposal.
- ➤ Kerry ETB are presently engaging with SOLAS on the matter and are completing a Strategic Assessment Report (SAR) template for submission to SOLAS and the DFHERIS re the proposed acquisition and development of the "Sara Lee Site" in Killarney as the Kerry College Killarney Campus.
- ➤ The CCT Department and Director of FET have had several meetings and continue to work through the details in the SAR.
- ➤ Kerry ETB expect to be ready to submit the SAR to SOLAS & DFHERIS by week 4 of February 2022.

Following discussions, An Cathaoirleach asked that the proposal in relation to the submission for the Killarney be ready for the February  $22^{nd}$  2022 Board Meeting.

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

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

- ➤ Kerry ETB, on December 22<sup>nd</sup> 2021, finalised the Purchase of Unit 1, Listowel Business Development Centre from Shannon Commercial Properties.
- ➤ Kerry ETB have commenced drafting a capital application to SOLAS under the Strategic Infrastructure Upgrade Fund (SIUF) for the refurbishment and extension of the premises to accommodate FET Provision. Kerry ETB have appointed TC Architects to aid the ETB with this application as well as applying for planning permission for the extension and change of use.
- ➤ A site meeting with FET Management and consultants was undertaken January 18<sup>th</sup> 2022, to discuss proposals and review the accommodation needs for FET provision.

➤ Kerry ETB will prepare an SIUF Application for the accommodation which will be submitted in early March 2022 once the strategic investment application has been finalised.

The Board noted this update.

#### Capital and Buildings Report - Land and Leases (as circulated)

The Capital and Buildings Report – Land and Leases, was circulated with the meeting Agenda, was noted by the Board members, and addressed the following:

- ➤ Lease Applications awaiting DFHERIS/SOLAS approval
- Lease for Board approval Collis Sandes House, Tralee
- ➤ Community National School (CNS) Leases
- > Preschool at Two Mile CNS
- ➤ Killorglin Community College Sports Complex
- Causeway Comprehensive School Land Swap
- ➤ Licence Agreement Kerry County Board Pitch at Tralee Regional Sport and Leisure Complex

#### Pre-school at Two Mile CNS Update

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

- ➤ Members were advised at the December 14<sup>th</sup>, 2021, Board meeting that the successful applicant had been notified
- ➤ Kerry ETB representatives met with the successful applicant on December 9<sup>th</sup>, 2021, in relation to progressing matters.
- ➤ Kerry ETB is preparing a planning application for a prefab on the school site to accommodate the preschool from September 2022.
- ➤ Kerry ETB have requested our legal agent to write to the successful applicant seeking to formalise matters and enter into "Heads of Terms" or "Agreements to Lease" with the identified provider subject to:
  - The Provider funding and developing the site for September 2022
  - Kerry ETB obtaining planning permission.
  - The Provider complying with Building Regulations, Tusla Regulations etc. in relation to the provision of the accommodation on the site.

The Board were advised that this letter is to issue imminently to the successful applicant, Little Explorers Preschool, from Kerry ETB's legal agents MRW Solicitors.

The Board Members noted the update.

Tahilla CNS and Scoil an Ghleanna Pobail Scoil Náisiúnta Lease Update

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

- ➤ A letter issued from Kerry ETB CCT Department to Ms. Jill Fannin (Principal Officer DoE) on December 2<sup>nd</sup>, 2021, requesting the final approval for Kerry ETB to proceed with the leases, to date Kerry ETB have not received a reply.
- ➤ Kerry ETB continues to engage with the DoE on this matter.

The Board noted this update.

### **Killorglin Community College Update**

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

- ➤ Kerry ETB CCT Department, on May 26<sup>th</sup>, 2021, submitted an Additional School Accommodation Application for an extension to Killorglin Community College. This application also addressed the need for the provision of prefabs as an interim solution to accommodate needs presenting within the school.
- ➤ Kerry ETB, on January 7<sup>th</sup>, 2022, received a letter from the DoE in relation to the initial offering of accommodation for Killorglin Community College.
- ➤ The proposed extension is comprised of:
  - ➤ 1 x Textiles room
  - > 1 x Music room
  - 1 x Multimedia room
  - > Art room
  - ➤ 4 x SET room
  - > 2 x SEN Class Base Unit
  - ➤ The DoE will also allow a 100m² prefab for next year's SEN Class to be funded as part of the extension project.
- ➤ The estimated overall area of the extension is in the region of 1,365m² (c.14,600 sq. ft.) plus external play area and car parking etc.

Members of Kerry ETB CCT Department met with school management and the Director of SYM, on January 11<sup>th</sup>, 2022, to discuss the offer of accommodation. At this meeting, it was agreed that the school would accept the offer of accommodation as issued. A case will be made to increase the level of SEN accommodation from 2 Classes to 3 following feedback from the National Council for Special Education (NCSE).

In addition, Kerry ETB CCT Department, in June 2021, received funding of €43,000 under the EWS to address the need to replace the Fume Extraction within the Engineering Room. JKA Engineers have been appointed and are presently preparing tender documents to undertake the works during Summer 2022.

The Board welcomed and noted this update.

#### Land & Leases

#### **Lease Agreement for Approval**

#### Lease at Collis Sandes House, Tralee - Gaelcholáiste Chiarraí (SYM)

Board approval is being sought for the following lease renewal at Collis Sandes House, Tralee. The extension on the lease for Gaelcholáiste Chiarraí is to continue accommodating students until the completion of the Gaelcholáiste Chiarraí Nua building which given current timelines is due for completion Q4 of 2022. The lease extension is for a period of 5 months and based on a charge of €9,166 per month equates to €45,833 for a period of 5 months, subject to Board and DoE approval.

The terms of renewal are as follows:

- ➤ Rental: €45,833 (5 Months) Current Rental is €110,000 per annum
- > Term: 5 Months
- ➤ Dates: July 30<sup>th</sup>, 2022, to December 31<sup>st</sup>, 2022

The Board considered the lease proposal and approved the lease as per the terms above, subject to DoE sanction under DoES Circular 39/2011 and DPER Circular 17/2016.

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

## 7.3 Schools, Youth & Music (SYM) Update - Director of SYM

The SYM Report, as circulated with the meeting Agenda, was noted by the Board. The Report addressed the following:

- Kerry ETB Christmas Card Competition Winner 2021
- Comhghairdeas le Paris McCarthy, Gaelcholáiste Chiarraí on securing a full scholarship, through her skills at basketball, to the NCAA Division One College, East Tennessee State University (ETSU)
- > Gaelscoil Lios Tuathail
- General Updates
- ➤ 19th January 2022: RSE Community of Practice
- > Ethos Training for Boards of Management
- > ETBI Patrons' Short Course Teachers' Network
- BT Young Scientist Congratulations to Grace Ní Ifearnáin Gaelcholáiste Chiarraí
- Parent Nominees to ETB Board
- > Youth Development Office
- ➤ Kerry Local Creative Youth Project
- ➤ Music Generation

## <u>Update re All-Irish post-primary provision in Killarney</u> (Aonad Lán Gaeilge – Killarney) (Matters arising 4.5)

The Director of SYM advised that there was no further update re this matter since the December  $14^{th}$  2021 Board Meeting.

#### **Gaelscoil Lios Tuathail**

The Director of SYM referred to the 26<sup>th</sup> October 2021 Board meeting, at which members were advised that an email was received from Gaelscoil Lios Tuathail on 15<sup>th</sup> October 2021 advising that the school will require a fifth classroom in September and possibly a SET room and a Principal's Office. Gaelscoil Lios Tuathail are now seeking ETB approval to place an additional prefab on the site.

The Director of SYM stated that the Gaelscoil Lios Tuathail application for an additional prefab, to be located on the current site, is being recommended for approval by the Board of Kerry ETB.

The Board approved this proposal as presented.

Proposed: Cllr. Deirdre Ferris Seconded: Cllr. Norma Moriarty

#### **Community National School Newsletters**

An update was provided by the Director of SYM as follows:

- > The first newsletter produced by Scoil an Ghleanna was circulated with the Agenda.
- ➤ The December 2021 newsletter from Two Mile Community National School was also circulated.

#### Informational Webinar on the Community National School (CNS) Model

The Director of SYM advised that the Webinar broadcast on January 26<sup>th</sup> 2022 with seventy-three attendees. The core areas addressed by the panel on the Webinar included the following;

- > Patronage/ethos
- > Reasons to consider changing
- > Range of supports provided by the ETB's
- ➤ Governance
- > Financial
- ➤ Human Resources Panel Systems and Ancillary Staff
- > Capital and Buildings
- > Steps to be taken to become a CNS

The ETB CNS Task Group have scheduled a follow-up post-webinar meeting and a FAQ document on the CNS Model is being prepared, presently. The Director of SYM thanked all involved for their assistance and support.

The Board welcomed this update and An Cathaoirleach congratulated the Director of SYM and the team involved in producing the webinar.

## 7.4 Further Education and Training (FET) Update The Director of FET Report, as circulated with the meeting Agenda, was noted by the Board. The Report addressed: COVID-19 Incident Reports Remote Delivery ➤ Antigen Testing 2021 Beneficiaries ➤ New Appointments Update re the English Language requirements for some Kerry ETB FET **courses** (Matters arising 4.4) In addressing this matter the Director of FET advised that National Learner Entry Requirements for all Level 5 and Level 6 have been agreed with the Common European Framework of Reference for Languages (CERFL) proficiency at B2 for access to Level 5 & 6 courses for those whose first language is not English. The Director FET also advised that ESOL supports are in place and can be accessed locally for learners whose first language is not English. This update was noted. 7.5 Organisation Support and Development Update - Director of OS&D As per the **Governance Section 6.0** of the Minutes. The Board noted this update. 7.6 Chief Executive Officer's (CEO) Update - CEO The CEO's Report, as circulated prior to the meeting, was noted by the Board. The Report addressed the following: Matters Arising ➤ Annual DoE Review Meeting ➤ Head Office COVID-19 Update ➤ COVID-19 Current Priorities ➤ Building Acquisition Listowel > KDYS Mediation Agreement > Tralee Community Training Centre CLG > ETB Board Information/Provision of Board Devices > Tralee Regional Sports and Leisure CLG > Kerry ETB and MTU South Campus Acquisition Proposal > ETB Head Office Accommodation ➤ Strategic Priorities 2022

**KDYS Mediation Agreement** 

The CEO confirmed that the mediation agreement funds were paid to KDYS on December 17<sup>th</sup>, 2021.

The Board noted this update and welcomed the conclusion of these matters.

#### **ETB Head Office Accommodation**

The CEO addressed the option of the ETB establishing a permanent Head Office at the former Denny site at the Island of Geese site Tralee.

Kerry County Council and Kerry ETB had some initial and exploratory discussion re same in the context of the development of this site. The CEO, following consultation with the An Cathaoirleach and the Executive Management team, issued an initial letter to Kerry County Council addressing these exploratory discussions.

An Cathaoirleach addressed the long-held need for the ETB to acquire it own permanent Head Office as the ETB (formerly KES and the VEC) has been leasing Head Office accommodation in Tralee for many decades.

It was noted that very little progress has been made in recent times in relation to proposed acquisition by the ETB of the South Campus of the Munster Technological University (MTU). This proposal re South Campus acquisition did include the possibility of location the ETB Head Office permanently on the South Campus site, should the ETB acquire same.

The Board were very supportive of exploring the option with Kerry County Council of locating the ETB Head Office permanently on the Island of Geese site Tralee. The centrality of the Island of Geese site in Tralee town was viewed as very important by the Board members as it would be very accessible location for the public etc. In supporting this matter, it was agreed that the CEO would issue a letter to the Department of Education seeking discussion with the Department re same.

Proposed: Cllr. Deirdre Ferris Seconded: Cllr. Fionnán Fitzgerald

#### **Kerry ETB Logo New Design Development**

Following feedback from the Board and the Executive, it was noted that the re-design of the Kerry ETB logo is under review and a further update will be given at the February  $22^{nd}$ , 2022, Board Meeting.

### 7.7 Members' Business

#### **Supports for Guidance Teachers**

Cllr. Deirdre Ferris raised the publication of the recent CAHMS Report in relation to South Kerry and queried if there would be any additional support provided for Guidance Teachers in Kerry ETB schools in relation to same? The Director of SYM gave a very comprehensive update addressing

the current levels of support that are in place in Kerry ETB schools to support the Guidance Teachers and Student Support Teams in all the Kerry ETB schools. The Director of SYM advised that Kerry ETB provides 3 days of training annually for Student Support teams in both Kerry ETB and non-ETB schools. This is organised in collaboration with NEPS and informed by the DoE Guidelines on Student Support Teams. Kerry ETB have also contracted an external counselling service that provides individual therapeutic counselling services to students referred from Guidance Counsellors and Student Support Teams. In addition, Community of Practice for both SPHE and RSE Teachers who share best practice and resources have been established.

#### St. Paul's Basketball Club

Cllr. Marie Moloney raised a query in relation to St. Paul's Basketball Club Killarney. The Buildings Officer gave a comprehensive update in relation to same advising that a meeting was held with the club to explore alternative options for the development in November 2021 and advised that further sketches were developed by Kerry ETB CAD Technicians and shared with the club for their review. These sketches have also been addressed with the Management of Killarney Community College.

The Buildings Officer advised the Board that he expected correspondence from the club on the matter following review of the updated sketches and advised that a further update will be provided at the next ETB Board meeting.

02/2022/8	CORRESPONDENCE COMHFHREAGRAS
8.1	DoE Correspondence: Noted as listed
8.2	DoE Circular Letters: Noted as listed
8.3	DoE Press Releases: Noted as listed
8.4	Department of Further and Higher Education, Research, Innovation and Science Correspondence: Noted as listed
8.5	Department of Further and Higher Education, Research, Innovation and Science Press Releases:  Noted as listed

8.6	<b>Department of Children, Equality, Disability, Integration and Youth:</b> Noted as listed
8.7	ETBI Correspondence: Noted as listed
8.8	SOLAS Correspondence: Noted as listed
8.9	Other Correspondence: Noted as listed.

02/2022/9	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
	Next Kerry ETB Board Meeting:
	Tuesday, February 22 <sup>nd</sup> , 2022
	at
	4.15pm

Signed/Sínithe: Dat	e/Dáta:
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