

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

Date and Time:	Wednesday, March 29th, 2023, at 04:15 pm
Location:	Kerry ETB Head Office Boardroom, Centrepont, Tralee, County Kerry/via videoconference
Chairperson:	Cllr. Jim Finucane
Secretary:	Mr Colm McEvoy, Chief Executive Officer (CEO)
Attendance (Reserve Members):	<ul style="list-style-type: none"> • Cllr. Aoife Thornton • Cllr. Cathal Foley (VC) • Ms Celia O'Shea • Cllr. Deirdre Ferris • Cllr. Fionnán Fitzgerald (VC) • Cllr. Jim Finucane • Ms Joan McCrohan • Cllr. Johnnie Wall (VC) • Mr Joseph Brennan • Ms Maria O'Gorman • Cllr. Marie Moloney • Cllr. Niall O'Callaghan (VC) • Cllr. Norma Moriarty (VC) • Ms Tara Donoghue (VC) • Cllr. Terry O'Brien • Mr Zaid Kassoob (VC)
Attendance (Executive Members):	<ul style="list-style-type: none"> • Mr Colm McEvoy, CEO • Ms Ann O'Dwyer, Director of Schools, Youth and Music (SY&M) • Ms Maria Brennan, Director of Organisation Support and Development (OS&D) • Mr Owen O'Donnell, Director of Further Education and Training (FET) • Ms Aileen O'Connor, Head of Corporate, Capital and Technology (CCT) • Mr Tommy Conroy, Head of Finance • Mr Pdraig O'Sullivan, Buildings Officer
Apologies:	<ul style="list-style-type: none"> • Mr John O'Roarke, Board Member • Cllr. Maura Healy-Rae, Board Member • Cllr. Michael Cahill, Board Member • Mr Niall Lucey, Board Member • Mr Tim Daly, Board Member • Ms Betty Corkey, Head of Human Resources • Ms Trisha Tierney, Executive Support

03/2023/0	<p style="text-align: center;">Conflict of Interest Coimhlint Leasa</p>
	<p>As per Section 1.18 of Circular Letter (CL) 0002/2019, an electronic conflict of interest form was circulated to each Board Member before the meeting for signature. Furthermore, An Cathaoirleach asked the Board Members to disclose any conflicts of interest prior to the commencement of the meeting.</p> <p>During the meeting, Board Member Cllr. Deirdre Ferris disclosed a potential conflict of interest due to her membership on the Board of the Tralee Community Training Centre. An Cathaoirleach acknowledged receipt of the disclosure.</p>

03/2023/1	<p style="text-align: center;">Condolences Comhbhrón</p>
	<p>Condolences/Comhbhrón An Cathaoirleach, Cllr. Jim Finucane, expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> • Ms Mary Keane, Castleisland Community College, on the death of her mother, Ms Anne Dore • Mr John Flynn, Causeway Comprehensive School, on the death of his father-in-law, Mr William Leahy • Ms Máire Ní Laocha, Gaelcholáiste Chiarraí, on the death of her father, Mr William Leahy • Mr Andrew Finegan, Killorglin Community College, on the death of his uncle, Mr Martin Gleeson • Ms Eileen O’Flaherty, Tralee and Killarney Adult Basic Education (ABE), on the death of her brother, Mr Michael O’Flaherty • Ms Linda O’Shea, Kerry College, on the death of her father, Mr Patrick O’Shea • Mr Tommy Conroy, Head Office, on the death of his father-in-law, Mr Tim Kenny

03/2023/2	Congratulations Comhghairdeas
	<p>Congratulations/Comhghairdeas An Cathaoirleach, Cllr. Jim Finucane, shared congratulations to:</p> <ul style="list-style-type: none"> • Castleisland Community College students David Peskett and Shauna O'Keefe for winning the 'Senior Award' at the Kerry Student Enterprise Awards, as well as the 'Computer Science Award' and the overall 'Best Portfolio' at the Kinia Creative Tech Fest Awards • Staff and students at Causeway Comprehensive School following their fundraiser in aid of Daffodil Day 2023 • Maddie Courtney, Coláiste na Sceilge, on being selected to perform in "Our Girls Our Game," the latest production by the British Youth Musical Theatre • Staff and students at Killarney Community College following a successful Cardiopulmonary Resuscitation (CPR) Skills Day on March 3rd, 2023 • Kerry College management and staff on winning the "Wind Energy Ireland Talent and Skills Development Award" at the Irish Wind and Industry Awards 2023 • Kerry College management and staff on the successful launch of the Wind Turbine Maintenance Technician Apprenticeship
03/2023/3	Minutes of Last Board Meeting - For Adoption Miontuairiscí ón Gcruinniú Deireanach Boird – Le Glacadh
	<p>The minutes of the previous Board meeting, held on February 28th, 2023, were circulated to the Board Members prior to the meeting.</p> <p>The minutes were presented to the Board for approval.</p> <p style="text-align: center;">Proposed: Cllr. Terry O'Brien Seconded: Cllr. Aoife Thornton</p> <p>The minutes were adopted and signed at the meeting.</p>

03/2023/4

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

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

4.1	Tralee Community Training Centre Accommodation
4.2	National Parks Wildlife Service and Kerry ETB Environmental Education Memorandum of Understanding <i>– see Further Education and Training Report Section 7.2</i>
4.3	Audit of Annual Financial Statements for 2021 and 2022 – <i>see Finance Report Section 7.4</i>
4.4	Sustainability/Climate Action Update – <i>see Corporate, Capital and Technology Report Section 7.5</i>
4.5	Two Mile Community National School Preschool Service – <i>see Capital and Buildings Report Section 7.6</i>
4.6	Castleisland Community College Dressing Rooms – <i>see Capital and Buildings Report Section 7.6</i>
4.7	Gaelcholáiste Chiarraí Nua Building Project – <i>see Capital and Buildings Report Section 7.6</i>
4.8	Kerry College Killarney Campus Building Project – <i>see Capital and Buildings Report Section 7.6</i>
4.9	Scamps and Scholars Lease – <i>see Capital and Buildings Report Section 7.6</i>
4.10	Proposed Lease at 9-10 Denny Street (former AIB Business Banking) – <i>see Capital and Buildings Report Section 7.6</i>
4.11	Update re 5-year Strategy Statement (as per Section 27 ETB Act 2013) – <i>see CEO's Report Section 7.7</i>
4.12	Kerry College Killorglin Outdoor Education and Training Campus Correspondence – <i>see CEO's Report Section 7.7</i>

4.1	<p>Tralee Community Training Centre Accommodation (as per Matters Arising Section 4.1)</p> <p>At the meeting, Board Member Cllr. Deirdre Ferris reported on recent positive developments at the Tralee Community Training Centre (CTC), including an increase in enrolment numbers. She also informed the Board that the Tralee CTC Board of Directors has been considering potential accommodation options to improve accessibility for learners, such as upgrades to the existing building or possibly relocating to new premises. The upgraded accommodation would provide opportunities to expand the curriculum/programme available to learners.</p> <p>Director of FET, Mr Owen O'Donnell, complimented the Tralee CTC's Board of Directors and management on their efforts to increase enrolments. He acknowledged that the current building required additional investment to improve accessibility for learners attending the centre, including relocating the office to a downstairs location.</p> <p>It was agreed that the Director of FET would engage with the Tralee CTC Board of Directors to explore the possibility of financial investment in the centre to address accommodation improvements and curriculum review.</p> <p>The Board noted this.</p>
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03/2023/5	<p>Education and Training Topics for Discussion Ábhair Oideachas Agus Oiliúint Le Plé</p>
	<p>Finance Committee Annual Report 2022 as per Section 45 (3) of the ETB Act 2013 – Mr Brendan Tuohy, Section 45 Committee Chairperson</p> <p>The Board Members noted receipt of a written report from the Finance Committee in accordance with the provisions of Section 45(3) of the ETB Act 2013 and Section 4.20 of CL 0002/2019. The report had been circulated to the Board Members along with the agenda.</p> <p>The CEO advised that the Committee Chairperson, Mr Brendan Tuohy, would provide a verbal presentation on the report during the April 2023 Board meeting.</p> <p>The Board noted same.</p>

03/2023/6	<p style="text-align: center;">Governance Rialachas</p>
6.1	<p>Draft Financial Statements 2022 as per Section 51 of the ETB Act, including Statement of Internal Controls – for adoption</p> <p>In accordance with the ETB Act 2013 (Section 51) and CL 0002/2019 (Section 6), the Board of Kerry ETB is responsible for maintaining accurate records of all funds received and expended by the organisation and for the preparation of annual financial statements. These financial statements must be submitted to the Minister for Education and Comptroller and Auditor General (C&AG) no later than April 1st of each year.</p> <p>The Head of Finance, Mr Tommy Conroy, advised that the Finance Committee reviewed the Draft Financial Statements 2022 at its meeting on March 27th, 2023, in line with CL 0002/2019 (Section 4.20) and the committee’s terms of reference. Following this review, the Finance Committee recommended that the draft financial statements be adopted by the Kerry ETB Board (<i>ref: written report from Finance Committee on Draft Financial Statements 2022</i>).</p> <p>Incorporated into the Draft Financial Statements 2022 is the Review of the Effectiveness of Internal Control, i.e. Statement of Internal Control (SIC). The Audit and Risk Committee reviewed and approved the SIC at its meeting on March 16th, 2023, in line with CL 0002/2019 (Section 7.8) and its terms of reference (<i>ref: written report from Audit and Risk Committee on Review of System of Internal Control 2022</i>).</p> <p>Accordingly, the Head of Finance presented the Draft Financial Statements 2022, incorporating the SIC, to the Board for approval.</p> <p>The Board approved the Draft Financial Statements 2022 as presented.</p> <p style="text-align: center;">Proposed: Ms Joan McCrohan Seconded: Cllr. Marie Moloney</p> <p>Following approval by the Board, the Draft Financial Statements 2022 were signed by An Cathaoirleach and the CEO. An Cathaoirleach also signed the SIC (as incorporated into the draft financial statements).</p> <p>It was noted that the Board-approved Draft Financial Statements 2022 would be submitted by April 1st, 2023, to the Department and the C&AG in line with the provisions of the ETB Act 2013.</p>

6.2

Risk Management Update

Ms Maria Brennan, Director of OS&D (Chief Risk Officer), updated Board Members on the outcome of the quarterly Risk and Compliance meeting held on March 6th, 2023. The meeting, attended by the CEO and three Directors, focused on reviewing and updating the Corporate Risk Register, i.e., Version 1.1, 2023.

It was noted that the updated Corporate Risk Register now consists of **11 risks**. Part A of the register, i.e. the first six risks, was circulated in the March 2023 Board pack for Members to review as part of the organisation's commitment to effective risk management (Section 7, CL 0002/2019). For each risk, the Executive has identified mitigating actions/controls, which Board Members were encouraged to review carefully.

Risk	Risk Score
1. Failure to prevent unauthorised access to systems and information, i.e. cyber attack	16
2. Failure to meet our requirements as set out in the Climate Action Plan 2021 (CAP 21), i.e. reduce emissions by 51% and improve energy efficiency to 50% by 2030	12
3. Concern re the design and implementation of blended work arrangements	9
4. Concern re the ETB's long-term head office accommodation post-2027	6
5. Concern re potential rehousing of internationally protected applicants to another county	9
6. Risk of potential energy (to include electricity and gas) or fuel shortages for the organisation and its staff	8

As per the above, Members were advised that risks 2 and 5 were newly added to the register.

In the context of the discussions, the CEO also drew attention to a new risk that had been added to the Corporate Risk Register (Part B). The risk relates to managing "expectations pertaining to legacy third-party arrangements when considered in the context of current governance requirements".

The CEO explained that this risk is becoming increasingly significant for the organisation as the ETB staff are increasingly allocating time and resources to address third-party expectations based on legacy arrangements. For example, reference was made to a legacy property/pitch licence agreement that has been under discussion for over two years with no resolution forthcoming. The CEO highlighted that while the ETB fully respects these legacy arrangements, any expectations arising need to be aligned with current the ETB's current governance requirements.

	<p>The CEO acknowledged, based on recent experience, establishing a shared understanding of the ETB's current governance requirements for some third-party legacy arrangements can be challenging,</p> <p>The Board noted the importance of managing this risk effectively.</p> <p>Thanks were shared with the Chief Risk Officer.</p>																												
6.3	<p>Kerry ETB Policies – for approval</p> <p>The following policy, as circulated with the agenda, was presented for approval by Ms Maria Brennan, Director of OS&D:</p> <ul style="list-style-type: none"> • Corporate Procurement Plan 2022-2024 <p>The Board approved the above-listed policy as presented.</p> <p style="text-align: center;">Proposed: Ms Joan McCrohan Seconded: Cllr. Terry O'Brien</p>																												
6.4	<p>Section 44 Committees: Minutes – for approval</p> <p>The following Section 44 Committees' minutes, as circulated with the agenda, were presented for approval:</p> <table border="1" data-bbox="432 1137 1445 1496"> <thead> <tr> <th>Section 44 Committee</th> <th>Date of Meeting</th> <th>Board Member in Attendance</th> </tr> </thead> <tbody> <tr> <td>Castleisland Community College</td> <td>19.01.23</td> <td>Joan McCrohan, Fionnán Fitzgerald</td> </tr> <tr> <td rowspan="2">Causeway Comprehensive School</td> <td>05.12.22</td> <td>Aoife Thornton, Marie O'Gorman</td> </tr> <tr> <td>16.01.23</td> <td>Aoife Thornton</td> </tr> <tr> <td>Coláiste Gleann Lí</td> <td>18.01.23</td> <td>Terry O'Brien, Joe Brennan</td> </tr> <tr> <td>Coláiste na Ríochta</td> <td>16.01.23</td> <td>Marie O'Gorman, Celia O'Shea</td> </tr> <tr> <td rowspan="2">Coláiste na Sceilge</td> <td>16.11.22</td> <td>Norma Moriarty, Joan McCrohan</td> </tr> <tr> <td>14.12.22</td> <td>Norma Moriarty</td> </tr> <tr> <td>Kerry College of Further Education and Training</td> <td>08.12.22</td> <td>Jim Finucane</td> </tr> <tr> <td>Capital and Buildings</td> <td>11.10.22</td> <td>Norma Moriarty, Marie O'Gorman</td> </tr> </tbody> </table> <p>The Board approved the above-listed minutes.</p> <p style="text-align: center;">Proposed: Ms Celia O'Shea Seconded: Cllr Terry O'Brien</p>	Section 44 Committee	Date of Meeting	Board Member in Attendance	Castleisland Community College	19.01.23	Joan McCrohan, Fionnán Fitzgerald	Causeway Comprehensive School	05.12.22	Aoife Thornton, Marie O'Gorman	16.01.23	Aoife Thornton	Coláiste Gleann Lí	18.01.23	Terry O'Brien, Joe Brennan	Coláiste na Ríochta	16.01.23	Marie O'Gorman, Celia O'Shea	Coláiste na Sceilge	16.11.22	Norma Moriarty, Joan McCrohan	14.12.22	Norma Moriarty	Kerry College of Further Education and Training	08.12.22	Jim Finucane	Capital and Buildings	11.10.22	Norma Moriarty, Marie O'Gorman
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6.5	<p>Section 44 Committees: Appointments and Vacancies – for approval</p> <p>Nil at this time.</p>																												

6.6

Section 45 Committees: Minutes and Meeting Notes

The following Section 45 Committee minutes and meeting notes, as circulated with the agenda, were presented for noting.

Section 45 Committee	Meeting Date	Document
Audit and Risk	17.11.22	Minutes
Audit and Risk	16.03.23	Meeting Note
Audit and Risk	N/A	Report on Statement of Internal Control 2022
Finance	27.03.23	Meeting Note
Finance	N/A	Report on Draft Financial Statements 2022

Members noted same.

6.7

Partnership Schools Boards of Management: Minutes

The following Partnership Schools Boards of Management minutes, as circulated with the agenda, were presented for noting.

Partnership Boards of Management	Meeting Date
Scoil Phobail Sliabh Luachra	11.10.22
	19.12.22

Members noted same.

6.8	<p>Oversight Agreement with the Department of Education (2020/2022) On March 15th, 2023, the Executive met with the Department of Education in accordance with the three-year Oversight Agreement (OA) and annual Performance Delivery Agreement (PDA) between Kerry ETB and the Department. The agenda for the meeting included an appraisal of the submitted Service Plan 2022 and Annual Report 2021, as well as a discussion of key governance matters, such as financial governance, arising from the OA and PDA.</p> <p>The meeting was positive, with good input from both sides. Topics covered by the ETB included the 2022 return to a "post-COVID-19 normality" and the ongoing response to meet the education and training needs of the Ukrainian community in Kerry. Other items addressed included ESBS, capital projects, development of the Strategy Statement 2023-2027, and Irish Language and Communication Officer roles.</p> <p>The Department enquired about live Kerry ETB projects referenced in the Service Plan 2022 and Annual Report 2021, including the centralised procurement and purchasing model, child protection process/monitoring visits, board meetings and attendance, board self-assessment, and property. Regarding the board self-assessment evaluation report, the DE was advised that Governance Ireland conducted the self-assessment, and the report was positive. It was agreed to send a copy of the report to the Department.</p> <p>The next iteration (2023-2025) of the Oversight and Performance Delivery Agreements have been signed by Kerry ETB, and the organisation received the Department signed copies on March 22nd, 2023.</p> <p>This update was welcomed.</p>
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<p>6.9</p>	<p>Dr Noel Kissane ‘Kerry From Maps and Chart,’ Sponsorship Request Board Members noted the receipt of a sponsorship request from Dr Noel Kissane towards the publication of his book, "Kerry From Maps and Chart".</p> <p>In addressing this request, the Board acknowledged the importance of supporting the cultural and historical development of the Kerry community but emphasised that it must align with the organisation's core objectives and activities.</p> <p>After discussing the matter, the Board agreed that funding for such projects falls outside the scope of the ETB's publically-funded core activities. Therefore, it was determined that the request should be respectfully referred back to the individual with the possible recommendation to explore funding support from other relevant agencies.</p> <p>This was unanimously agreed.</p>
<p>6.10</p>	<p>Scartaglen GAA Field Development Fundraiser, Sponsorship Request Board Members noted the receipt of a sponsorship request from Ms Anna Kerin, Scartaglen GAA, towards a “Field Development Fundraiser.”</p> <p>As addressed in Section 6.9 (above), the Board agreed that funding for such projects falls outside the scope of the ETB's publically-funded core activities. Accordingly, it was determined that the request should be respectfully referred back to the individual with the recommendation to possibly explore funding support from other relevant agencies.</p> <p>This was unanimously agreed.</p>

03/2023/7	<p style="text-align: center;">Executive Updates Uasdátú ón bhFeidhmeannas</p>
7.1	<p>Schools, Youth and Music Report</p> <p>The Schools, Youth and Music Report, as circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Post-Primary Schools Survey 2021/2022 • REALT Update <p>In addition, the Director of SY&M, Ms Ann O’Dwyer, provided an update on the Two Mile Community National School Preschool Service.</p> <p><u>Two Mile Community National School Preschool Service</u></p> <p>At the February 2023 Board meeting, the Board was advised that discussions were ongoing with the approved third-party provider for the provision of a preschool on the Two Mile Community National School (CNS) site from September 2023.</p> <p>Orchard House Limited was identified as the successful provider to install the prefabricated accommodation on the site following an expression of interest process in 2022.</p> <p>In his March 2023 report to the Board, the Buildings Officer set out that he and his colleagues, including the Two Mile CNS Principal, Ms Catherine Barry, met with Orchard House Limited on February 28th, 2023, to discuss the project, particularly to address progress regarding the provision of the preschool on the school’s site. Following this meeting, Kerry ETB was notified by email on March 14th, 2023, that the preschool provider would not be in a position to complete the installation on the school’s site due to ongoing recruitment issues as well as the increase in building costs. The school management was updated regarding this decision.</p> <p>In addition, in addressing matters from the February 2023 Board meeting, the CCT Department reviewed the prefabricated accommodation across the ETB’s estate. It was confirmed that no unit of sufficient size is available to transfer to Two Mile CNS.</p> <p>The Director of SY&M confirmed that Kerry ETB had explored and exhausted all potential options. Consequently, it has been agreed with the principal and school BOM chairperson that there will be no preschool facility on the school site. The Director of SY&M is engaging with the school principal and BOM chairperson to agree on a statement to parents confirming this outcome.</p> <p>The Board thanked the Director of SY&M for her updates.</p>

7.2

Further Education and Training Report

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

- Ukrainian/International Protection Response
- Beneficiaries March 2023
- FET Financials
- Kerry College Open Week 2023
- 2023 Irish Wind Industry Awards
- Catex Event
- National Parks Wildlife Service and Kerry ETB Environmental Education Memorandum of Understanding (as per Matters Arising 4.2)
- SOLAS Apprenticeship Emergency Oversight Group Meeting

National Parks Wildlife Service and Kerry ETB Environmental Education Memorandum of Understanding (as per Matters Arising 4.2)

As agreed at the February 2023 Board meeting, a letter from the Kerry ETB CEO and An Cathaoirleach was issued to Mr N O'D, Assistant Secretary at the Department of Housing, Local Governance and Heritage, on March 6th, 2023. This letter to the Assistant Secretary addressed the current matters, including copies of all relevant correspondence. Subsequent to issuing this letter, an online meeting between Kerry ETB and National Parks Wildlife Service (NPWS) took place on March 10th, 2023: An Cathaoirleach, the CEO and the Director of FET representing Kerry ETB.

The CEO advised that this meeting was positive. At the meeting, Kerry ETB set out that it fully understood the restructuring within the NPWS as being the catalyst for the move to direct involvement in the provision of education services by the NPWS (from Knockreer House). Kerry ETB had previously provided the schools' programme with the support of the NPWS (accommodation, education aid, and nature facilities) as per the Memorandum of Understanding (MOU) between the NPWS and Kerry ETB.

The main outcomes of the meeting were as follows:

- NPWS commitment to the continuation of the schools' programme and resourcing of same.
- Kerry ETB to support the NPWS in the transition to the move to direct delivery of education services for schools by the NPWS.
- NPWS agreed to continue to provide full access for Kerry ETB (Kerry College) to the Killarney National Park as required for the Ecology course.
- A joint communication is to be drafted, agreed, and jointly issued to all stakeholders addressing the transition of the provision of the schools' programme to direct provision by the NPWS. This

	<p>communication will also address the arrangements that will be in place for the programme's continuation.</p> <p>A copy of the draft of the joint statement was circulated to Board Members to review in the meeting. It was noted that the statement would be issued imminently by the Director of FET and the NPWS Regional Manager to relevant stakeholders.</p> <p>The Board welcomed this positive update.</p> <p>The Board thanked the Director of FET for his updates.</p>
<p>7.3</p>	<p>Organisation Support and Development Report</p> <p>The Organisation Support and Development Report, as circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Governance, Compliance and Risk System • IAU Audit Plan 2023 • Statement of Internal Control 2022 <p>The Board thanked the Director of OS&D for her comprehensive updates.</p>

7.4

Finance Report

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

- Finance Update
- Audit of Annual Financial Statements for 2021 and 2022 (as per Matters Arising 4.3)
- Draft Financial Statements 2022
- Head Office Service Charges
- ETBI Contributions

Finance Update

The Head of Finance, Mr Tommy Conroy, presented a summary of finances as of February 28th, 2023, as follows:

KERRY ETB CASH GRANTS AS AT 28th FEBRUARY 2023					
ITEM	Opening Grant Cash Balance *	Receipts	Payments	Closing Grant Cash Balance	
Main Scheme					
Pay			(4,317,063)		
Non Pay			(347,114)		
Main Scheme Total	360,447	4,718,367	(4,664,177)		414,637
Associated Main Scheme	952,347	5,921	(179,365)		778,903
Capital	4,611,247	949,760	(2,323,373)		3,237,634
Further Education	1,938,910	7,178,208	(6,720,520)		2,396,597
Youth Affairs	92,933	291,798	(292,165)		92,565
Agency	445,171	281,214	(178,985)		547,400
Self-Financing	912,130	111,420	(129,239)		894,310
Total:	9,313,185	13,536,688	(14,487,825)		8,362,047

The Board noted this update.

Audit of Annual Financial Statements for 2021 and 2022 (as per Matters Arising 4.3)

In addressing the 2021 financial statements audit, the Head of Finance informed the Board that all requested samples/documentation would be submitted by March 31st, 2023 (delayed from March 3rd, 2023, as advised in the February 2023 Board meeting minutes). Following the submission of all requested samples/documentation, the management letter is expected shortly thereafter.

It was also noted that Kerry ETB continues to await confirmation of the commencement date of the 2022 financial statements audit. The 'conduct of audit letter 2022' was received on February 10th, 2023.

Draft Financial Statements 2022

Please refer to Section 6.1 above.

Head Office Service Charges

On January 24th, 2023, Kerry ETB's legal representative, Murphy Ramsey Walsh (MRW) Solicitors, directly responded to the landlord's previous correspondence and requested a full breakdown of how the costs were calculated. The landlord's legal representatives sent two letters on January 10th and 23rd, 2023, seeking payment of oil, insurance, and service charges, amounting to €159,608.67.

The Head of Finance reported to the Board that he had received a response on March 20th, 2023, to his correspondence sent to the landlord's legal representatives on January 24th, 2023.

On March 20th, 2023, MRW Solicitors received correspondence from the landlord's legal representatives acknowledging that the service charges did not form part of the completed rent review. The correspondence claims that there is €162,557.30 outstanding, broken down as follows:

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

To address this matter further, a meeting with MRW Solicitors will be scheduled in the coming days to review the details.

The Board will receive a further update on this issue at the next meeting.

ETBI Contributions

Board members noted receipt of the 2023 annual subscription from ETBI. The annual costs to Kerry ETB for 2023 were broken down as follows:

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

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

In 2022, Kerry ETB paid €63,433 in contributions to ETBI, compared to €85,104 in 2021. The proposed increase in costs for 2023 to €102,864 was referenced.

It was noted that the mission of ETBI is to lead and advance the development of education, training, and youth work in Ireland (ETBI Strategy Statement 2022-2024), and the role of ETBI includes providing sectoral support and partnerships with government agencies and bodies to

	<p>facilitate the development of the ETB sector. ETBI’s role has evolved with a significant staffing expansion in recent years.</p> <p>In the context of the proposed ETBI contributions 2023, the Board discussed the expansion of ETBI, its evolving role, staffing etc. The expansion of staffing within ETBI was referenced, with some concerns raised at the lack of progress with the organisation design for local ETBs. Specifically, the Board identified the need for approval for specialist positions in ETBs at appropriate grades, which are not included within the current ETB staffing structures, such as Irish Language and Sustainability Officers.</p> <p>Given the increased annual contributions request for 2023 and the evolving role of ETBI, it was agreed to invite the General Secretary of ETBI to a future ETB Board meeting to discuss the ETBI Strategy Statement 2022-2024 and implementation, sector priorities, and the evolving role of the organisation.</p> <p>The CEO will issue a letter of invitation to the General Secretary of ETBI on behalf of the Board.</p> <p>The Board shared its thanks to the Head of Finance for his update.</p>
6.5	<p>Corporate, Capital and Technology Report</p> <p>As circulated in advance of the meeting, the Corporate, Capital and Technology (CCT) Report was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • Cyber Security Update • Health and Safety Update • Sustainability/Climate Action Update (as per Matters Arising 4.4) <p>An Cathaoirleach thanked the Head of CCT for her updates.</p>

6.6

Capital and Buildings Report

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

- Two Mile Community National School Preschool Service (Matters Arising Section 4.5)
- Castleisland Community College Dressing Rooms (Matters Arising Section 4.6)
- Gaelcholáiste Chiarraí Nua Building Project (Matters Arising Section 4.7)
- Kerry College Killarney Campus Building Project (Matters Arising Section 4.8)
- Scamps and Scholars Lease (Matters Arising Section 4.9)
- Proposed Purchase of House and Lands in Listowel
- Major Devolved Projects Summary
- Additional School Accommodation Projects Summary
- EWS/SWS Project Summary
- FET Projects Summary
- Killorglin Sports and Leisure Company Limited by Guarantee
- Lease at Butler Centre, Listowel
- Expression of Interest – Property Listowel and Killorglin (FET Provision):
- Lease for Approval (FET Provision): Units 6 & 7 Keltic Business Park, Clieveragh Industrial Estate, Listowel Proposed Lease at 9-10 Denny Street
- Lease for Approval (FET and OS&D Provision): 9-10 Denny Street, Tralee (Matters Arising Section 4.10)
- Gaelic Pitch at Tralee Sports Complex – for approval
- Applications awaiting DoE/DFHERIS approval
- Use of Seal

Two Mile Community National School Preschool Service (Matters Arising Section 4.5)

Please refer to Section 6.1 above.

Castleisland Community College Dressing Rooms (Matters Arising Section 4.6)

Further to the February 2023 Board meeting update, the respective legal agents for Castleisland Association Football Club (AFC) and Kerry ETB continue to draft the new licence agreement (*ref: February 2023 Board meeting minutes*). Once drafted, the new licence agreement must be issued for review by the Castleisland Community College (CC) Board of Management (BOM).

It was noted that this matter cannot be progressed further by the ETB Board until receipt of confirmation from Castleisland CC BOM that it is in full agreement with the terms of the proposed new licence agreement.

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

The Board noted this update.

Gaelcholáiste Chiarraí Nua Building Project (Matters Arising Section 4.7)

The Board was advised that the new school building achieved practical completion on Monday, March 20th, 2023 and that staff and students are scheduled to move into the new building on April 24th, 2023. This update was welcomed by all in attendance.

The Board also noted recent media coverage regarding the design and assignment of toilet blocks in the school. The Director of SY&M, Ms Ann O'Dwyer, advised that she has engaged with the school principal in relation to this matter, confirming that the decision regarding the assignment of toilet blocks was based on creating an inclusive environment for all students. The toilet blocks are designed to promote safety and privacy and to prevent bullying. The school principal is responding to queries on this matter from parents and the local and national media.

The Building Officer further advised that the design team, in consultation with the ETB and the school, followed the **School Design Guide 02-06 Sanitary Facilities** issued in November 2021.

Board Members requested that a letter of support be issued to the local school management congratulating them on completing the new modern building and fully supporting the decision to assign toilet blocks based on an inclusive approach. The CEO agreed to issue the letter.

Board Members were reminded that the April ETB Board meeting would be held in the new school building on April 25th, 2023.

Kerry College Killarney Campus Building Project (Matters Arising Section 4.8)

On March 6th, 2023, Kerry ETB received notification from SOLAS of the upcoming workshops with ETBs setting out the process for preparing the Preliminary Business Case (Decision Gate 1 appraisal). The workshop, which was held on March 28th in Dublin, was attended by the Director of FET and the Head of CCT, who provided positive feedback from the event.

A further update will be provided at the next meeting.

Scamps and Scholars Lease (Matters Arising Section 4.9)

As previously reported at recent Board meetings, Kerry ETB is still awaiting the signed lease from Scamps and Scholars (Killorglin Community Childcare) before it can sign and seal the lease.

In addressing this matter, it was agreed that the Head of CCT, Ms Aileen O'Connor, would engage with the respective legal agents to ensure that the

third party signs the lease so that it can be signed and sealed by Kerry ETB at the upcoming April 2023 Board meeting.

The Board noted its agreement with this process as set out.

Proposed Purchase of House and Lands in Listowel

Board Members were advised that Ger Carmody Auctioneers has been in contact with the landowner to reach an agreement in principle for the purchase of the property as per the requirements of the DoE correspondence with Kerry ETB. Kerry ETB received email correspondence from Ger Carmody on February 3rd, 15th and 17th, 2023, indicating that negotiations are ongoing with the landowner.

On March 1st, 2023, Kerry ETB received a copy of a valuation undertaken by the property owner, valuing the property at €395,000. Kerry ETB met with Ger Carmody on the same day to discuss same.

Mr Carmody has informed Kerry ETB that the landowner is unwilling to accept an offer within the independent valuations received by Kerry ETB. It was noted that the property has been independently valued twice by Kerry ETB, with valuations of €275,000 (in 2022) and €300,000 (in 2019).

Ger Carmody continues to engage with the landowner and will update Kerry ETB accordingly. Due to the protracted nature of these matters, the Board agreed that negotiations with the landowner need to be concluded for April 7th, 2023. Mr Carmody will be advised to inform the landowner that the ETB wishes to conclude negotiations by Friday, April 7th, 2023. After April 7th, Kerry ETB will update the Department on the outcome of the negotiation process.

The need to progress this building project was emphasised, and it was agreed that if it is not possible to purchase the property, plans for the adjustment of the development site will be made.

It was noted that approval from both the Board and the Department is required for any purchase.

Lease at Butler Centre, Listowel

At the Kerry ETB Board meeting on July 12th, 2022, a proposal to remove the "break clause" in the lease between Kerry ETB and Irish Host Family Limited with respect to The Butler House, 12 The Square Listowel, was approved.

Following this meeting, an application was submitted to DFHERIS for approval. On March 13th, 2023, Kerry ETB received a letter from DFHERIS confirming approval to proceed with the proposal.

To finalise the process, Kerry ETB has requested MRW Solicitors to communicate with the landlord and provide the necessary documentation

for signing and sealing by Kerry ETB. By signing the Deed of Variation, Kerry ETB will achieve the following objectives:

1. Remove the break clause from the lease
2. Provide Kerry ETB with an option to renew for five years at the end of the current lease in 2029

A further update will be provided in due course.

Lease for Approval (FET Provision): Units 6 & 7 Keltic Business Park, Clieveragh Industrial Estate, Listowel

Board Members were advised that Kerry ETB sought expressions of interest for properties in Listowel in the Kerry's Eye Newspaper on February 2nd, 2023. The additional lease space is required for the final relocation of FET provision from Coláiste na Ríochta.

Following the receipt of the expressions of interest, a site visit was arranged to review the properties, attended by the Kerry College Principal, Mr Stephen Goudling, Deputy Principal, Mr John Skinner and Ms Elizabeth Conway, CCT Department.

The proposed property is located in Clieveragh Industrial Estate, in close proximity to the main Kerry College Listowel Campus. The Director of FET advised that the property is intended to be leased as an interim measure until the extension to the new campus is complete.

Board approval was sought to proceed with the following lease:

Units 6 and 7 Keltic Business Park, Clieveragh Industrial Estate, Listowel	
Justification:	Interim FET accommodation to allow the relocation of FET provision from Coláiste na Ríochta
Rent:	€28,000 per annum (VAT not applicable)
Area:	c. 2,800 square feet
Term:	3 years: May 1, 2023 to April 30, 2026

Proposed: Ms Marie O’Gorman
Seconded: Cllr. Marie Moloney

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

Lease for Approval (FET and OS&D): 9-10 Denny Street, Tralee

At the February 2023 Board meeting, the need for additional accommodation for FET and administration was addressed. It was then noted that Kerry ETB had identified the property at 9-10 Denny Street, Tralee, as a potential property to be leased.

In addressing this matter, it was noted that in September 2022, Kerry ETB advertised an expression of interest in the Kerry's Eye newspaper for a property in Tralee. Subsequently, in January 2023, Sherry Fitzgerald Stephenson Crean contacted Kerry ETB in relation to the property at 9-10 Denny Street, Tralee.

As previously advised (*ref: February 2023 Board meeting minutes*), the property, previously occupied by AIB Business Banking, offers around 4,900 square feet of space. AIB conducted a large-scale fit-out of the offices in recent years, and the current building is suitable for Kerry ETB's FET and administration functions. Members were advised that this property will provide the organisation with fit-for-purpose accommodation without requiring a significant fit-out of alternative shell and core office spaces. The Directors of FET and OS&D, and the Buildings Officer visited the property on March 1st, 2023, to assess its suitability for the organisation's needs.

At the meeting, the Director of FET clarified that approximately half of the property would be used for additional accommodation for Kerry College's Denny Street Campus. The Director of OS&D advised that the building will also provide administration space, initially for the relocation and amalgamation of Kerry ETB's Procurement and Purchasing Units (currently operating from separate offices in Kerry College Monavalley Campus and Head Office, Centrepoint).

In the discussion that followed, Board Member and Kerry College Staff Member Ms Celia O'Shea was not supportive of this proposal and raised concerns regarding the accessibility of the property and the availability of parking for Kerry College staff. The Director of FET advised that the property has a lift that fully supports wheelchair access. The matter raised about parking was acknowledged, and the Director of FET and Buildings Officer took note to follow up with Kerry County Council to explore parking options.

Board approval was sought to proceed with the below lease, conditional on addressing the concerns of Ms Celia O'Shea regarding accessibility and parking.

9-10 Denny Street, Tralee	
Justification:	Additional FET and administration accommodation
Rent:	€55,000 per annum (VAT not applicable)
Area:	c. 4,900 square feet
Term:	10 years: July 1, 2023, with a break clause at year 5.

Proposed: Cllr. Jim Finucane
Seconded: Ms Joan McCrohan

It was noted that the approval of the lease is conditional on addressing fully the concerns raised by the Board re accessibility and parking.

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

Gaelic Pitch at Tralee Sports Complex - for approval

Since 2014, Kerry ETB has had a licence agreement in place with the Kerry County Board for the use of the GAA pitch at Tralee Regional Sports and Leisure Complex Company Limited by Guarantee (CLG). This agreement will remain in place for a period of 21 years.

As per the terms of the licence agreement, a Pitch Management Committee has been established with nominees appointed from both parties. Kerry ETB's nominees on this committee, as agreed at the July 2022 Board meeting, are as follows:

- Ms Aileen O'Connor, Head of CCT
- Mr Stephen Goulding, Kerry College Principal
- Mr Liam McGill, Coláiste Gleann Lí Principal
- Mr Conall O'Cruadhlaich, Gaelcholáiste Chiarraí Deputy Principal

Following the resignation of Mr O'Cruadhlaich from Kerry ETB, it was proposed to replace Mr O'Cruadhlaich with his successor Mr Donal Rooney as one of Kerry ETB's nominees to the Pitch Management Committee.

Board approval was sought in this regard. This proposal was agreed.

Proposed: Cllr. Deirdre Ferris

Seconded: Cllr. Jim Finucane

Additionally, at a recent meeting of the Pitch Management Committee, the name of the pitch was discussed by those present. It was proposed to rename the pitch "Páirc na Darach", the Irish translation for Oakpark.

Ms Aileen O'Connor, Head of CCT and the Chair of the Pitch Management Committee, informed the committee that the proposal to rename the pitch would be tabled at the next Kerry ETB Board meeting for formal approval.

Board approval was sought to rename the GAA pitch at Tralee Regional Sports and Leisure Complex CLG as "Páirc na Darach". This proposal was agreed.

Proposed: Cllr. Deirdre Ferris

Seconded: Cllr. Jim Finucane

Use of Seal

In accordance with Schedule 3, Paragraph (2) of the Education and Training Boards Act 2013, the seal of Kerry ETB will be used to execute the following document at the March 2023 ETB Board meeting:

Arrangement:	Lease between Kerry ETB and St Brendan's Trust with respect to Tahilla Community National School	Lease between Kerry ETB and St Brendan's Trust with respect to Scoil an Ghleanna Pobailscoil Náisiunta
Justification:	SYM provision	SYM provision
Term:	24 years from September 1, 2019	24 years from September 1, 2019
Approval Process:	Approved by the ETB Board on April 27th 2021 Approved by the DoE on March 16th, 2023	Approved by the ETB Board on April 27th 2021 Approved by the DoE on March 16th, 2023

Arrangement:	Lease between Kerry ETB and Liber Development Ltd with respect to Units 2A and 5F, Liber House	Lease with respect to a classroom and office in Oidhreacht Chorca Dhuibhne, Áras Bhréanainn, Gortmore, Ballyferriter Village	Lease renewal with respect to 37 High Street, Killarney
Justification:	FET provision	FET provision	FET provision
Term:	1 year from September 1st, 2022	2 years from September 1st, 2022	2 years from December 2nd, 2022
Approval Process:	Approved by the ETB Board on June 14th, 2022 Approved by the DoE on August 15th, 2022	Approved by the ETB Board on September 27th, 2022 Approved by the DFHERIS on March 23rd, 2023	Approved by the ETB Board on November 15th, 2022 Approved by the DFHERIS on March 23rd, 2023

The Board noted the uses of the seal.

7.7

Chief Executive Officer's Report

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

- Update re 5-year Strategy Statement - as per Section 27 ETB Act 2013 (Matters Arising Section 4.11)
- Tralee Regional Sports and Leisure Company Limited by Guarantee
- Over the Water Sports Centre Company Limited by Guarantee
- Head Office Accommodation
- Kerry College Killorglin Outdoor Education and Training Campus Correspondence (Matters Arising Section 4.12)
- Performance Delivery Agreement Meeting with the Department of Education
- Blended Working Policy Update

In addition to the above, the CEO provided a brief update on Moyderwell Mercy Primary School temporary Additional Accommodation request.

Update re 5-year Strategy Statement - as per Section 27 ETB Act 2013 (as per Matters Arising Section 4.11)

The Board acknowledged the recent progress made on the new Strategy Statement for 2023-2027, noting that the stakeholder consultation process is progressing well.

The final draft of the strategy will be presented for approval at the May 2023 Board meeting, with the formal launch taking place on June 24th, 2023 (revised date).

Further details regarding the launch of the strategy will be presented at the April 2023 Board meeting.

The Board welcomed this progress.

Kerry College Killorglin Outdoor Education and Training Campus Correspondence (Matters Arising Section 4.12)

Further to the update provided at the February 2023 Board meeting, the CEO confirmed receipt of proposals for community use of the Kerry College Killorglin Campus from the Killorglin Chamber Alliance via email on March 22nd, 2023.

Kerry ETB is currently reviewing these proposals, and a meeting between both parties will be scheduled imminently.

This update was noted.

Blended Working Policy Update

The November 2022 Board meeting featured a detailed discussion around remote working and the most effective approaches for Kerry ETB to adopt in relation to same. During the meeting, the Executive expressed its support for introducing remote/hybrid/blended working arrangements for staff, referencing that the National Remote Work Strategy aims for the public sector to achieve a target of 20% offsite work (extract from minutes included below).

- Kerry ETB is supportive of remote/hybrid arrangements.
- Support for the ETB establishing remote working hubs/ offices in key locations across the county.
- Possibility of the ETB staff utilising the current network of remote working hubs in County Kerry, for example, Hubs Network established in Baile na Sceilg, Sneem, Listowel, Kenmare, Listowel Castleisland, Dingle etc.
- Possible use of the ETB's current building estate across the county as remote working hubs/office locations.
- The importance for the ETB to act in the interest of sustainability and reduce its carbon footprint.
- The potential for remote working hubs/offices to increase the appeal of the ETB as an employer to potential job applicants across the county.
- The potential advantage of local ETB hubs/offices for the public seeking to access services of the ETB locally.

Figure 1 Extract from November 2022 Board meeting

Since the meeting, the Executive has evaluated several approaches to blended working and engaged with staff and relevant unions in relation to same.

As set out in the circulated CEO's report, a meeting was held with head office staff on March 24th, 2023, to discuss blended working and related approaches. The meeting was highly constructive and generated valuable insights from staff.

At the facilitated session, a survey was conducted with head office staff present to determine their interest in moving to blended working arrangements across head office. The results from the survey were presented to the Board as follows:

- Not interested in blended working: 36%
- Interested in blended working 20% of the time: 34%
- Interested in blended working 50% of the time: 23%
- Interested in remote working from a hub 80% of the time: 7%

The Director of OS&D, Ms Maria Brennan, advised that a working group has been established with head office staff to develop the Blended Working Policy in line with the "Blended Working Policy Framework for Civil Service Organisations" developed by the Department of Public Expenditure

and Reform. It is hoped to finalise the policy and run a pilot for a period of six months, commencing in June 2023.

In the following discussion, An Cathaoirleach advised the Executive to exercise caution and ensure that the office spaces are not left vacant after moving to blended working arrangements. It was also emphasised that the public services offered by the ETB must continue to be provided with the highest standards of customer service.

Further updates will be provided at the April 2023 Board meeting.

Moyderwell Mercy Primary School Additional Accommodation

The CEO advised receipt of correspondence dated March 24th 2023, from the Principal of Moyderwell Mercy Primary School, Mr Pat Neenan, regarding its need for additional accommodation during planned building works at the primary school's site. As previously advised, Moyderwell Mercy Primary School has requested that the ETB consider the provision of classrooms in the "old" Gaelcholáiste Chiarraí school building to the primary school during its building works (*ref: January 2023 Board meeting minutes*).

In its correspondence dated March 24th, 2023, Moyderwell Mercy Primary School clarified that it would require from Kerry ETB:

- Two mainstream classrooms
- One classroom
- One smaller room

This request was positively received. It was agreed to engage with the DoE to buildings unit to discuss this matter. It was also noted that any potential arrangement to accommodate this request would have annually given the future possible use of the building by the ETB.

The CEO advised Board Members that he would revert in due course with an update.

The Board thanked the CEO for his updates.

03/2023/8	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	DFHERIS Correspondence: Noted as listed
8.5	DFHERIS Press Releases: Noted as listed
8.6	Department of Children, Equality, Disability, Integration and Youth Correspondence: Noted as listed
8.7	ETBI Correspondence Noted as listed
8.8	SOLAS Correspondence Noted as listed
8.9	Other Correspondence Noted as listed

03/2023/9	MEMBERS' BUSINESS GNÓ NA gCOMHALTAÍ
03/2023/10	ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH
	<p>Next Kerry ETB Board Meeting: The date for the April 2023 Board meeting was noted as follows:</p> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <p>Date: April 25th, 2023</p> <p>Time: 04:15 pm</p> <p>Location: Gaelcholáiste Chiarraí Nua</p> </div>

Signed/Sínithe: _____ Date/Dáta: _____