

**CRUINNÍÚ BHORD OIDEACHAIS AGUS OILIÚNA CHIARRAÍ
KERRY EDUCATION AND TRAINING BOARD MEETING**

Date and Time:	Tuesday, May 28th, 2024, at 04:00 pm
Location:	Hybrid: Kerry ETB Head Office Centrepont Building, Boardroom and via Microsoft Teams
Cathaoirleach:	Cllr. Jim Finucane
Secretary:	Mr Colm McEvoy, Chief Executive
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 • Mr Joseph (Joe) Brennan (VC) • Ms Maria O'Gorman • Cllr. Michael Cahill (VC) • Cllr. Niall O'Callaghan • Cllr. Norma Moriarty (VC) • Cllr. Terry O'Brien (VC) • Mr Zaid Kassoob
Attendance (Executive Members):	<ul style="list-style-type: none"> • Mr Colm McEvoy, Chief Executive • Mr Owen O'Donnell, Director of Further Education and Training (FET) • Ms Maria Brennan, Director of Organisation Support and Development (OS&D) • Mr Heather Shanahan, Acting Head of Finance • Ms Aileen O'Connor, Head of Corporate, Capital and Technology (CCT) • Ms Betty Corkey, Head of Human Resources • Ms Jennifer Drumm, Executive Support • Ms Trisha Tierney, Executive Support

05/2024/0	CONFLICT OF INTEREST COIMHLINT LEASA
	<p>As per Section 1.18 of Circular Letter (CL) 0002/2019, a conflict of interest form was circulated to each Board Member before the meeting for signature. In addition, an Cathaoirleach, Cllr. Jim Finucane asked all Board Members to disclose any conflicts of interest prior to the commencement of the meeting.</p> <p>There were no conflicts of interest disclosed relevant to the meeting's agenda items, as discussed.</p>
05/2024/1	APOLOGIES AND CONDOLENCES LEITHSCÉALTA AGUS COMHBHRÓN
1.1	<ul style="list-style-type: none"> • Mr John O'Roarke, Board Member • Cllr. Marie Moloney, Board Member • Cllr. Maura Healy-Rae, Board Member • Mr Niall Lucey, Board Member • Ms Tara Donoghue, Board Member • Mr Tim Daly, Board Member • Ms Ann O'Dwyer, Director of Schools, Youth and Music (SY&M) • Mr Pdraig O'Sullivan, Buildings Officer
1.2	<p>Condolences/Comhbhrón An Cathaoirleach expressed his sympathy and that of the Board to:</p> <ul style="list-style-type: none"> • The Thompson family following the sad passing of Ms Norma Thompson, Kerry ETB School Completion Programme • Ms Maria Brennan, Kerry ETB Head Office, and family following the sad passing of Mr Stewart Walsh • Ms Norma Lynch, Kerry ETB Head Office, on the death of her father-in-law, Mr Tim O'Connor • Ms Mary McSweeney, Community Education, on the death of her sister, Ms Eileen Hartnett • Ms Marian Relihan, Community Education, on the death of her sister, Ms Joan McCabe • Ms Mary Swaine, Adult Literacy and Basic Education, on the death of her aunt, Ms Teresa Rigney • Ms Jacinta Hennessy, Adult Literacy and Basic Education, on the death of her brother, Mr Sylvester Murphy

	<ul style="list-style-type: none"> • Ms Colette Lawlor, Kerry College, on the death of her uncle, Mr Vincent O'Mahony • Mr Tom Cronin, Kerry College, on the death of his aunt, Ms Mary McNamara • Ms Nora Corridon, Quality Assurance Unit, on the death of her aunt, Ms Catherine Dalton • Ms Karolina Wrobel, Quality Assurance Unit, on the death of her grandmother, Ms Boguslaw Wrobel • Ms Bláithín O'Mahony, Quality Assurance Unit, on the death of her mother-in-law, Ms Mairead Browne • Ms Mary Keane, Castleisland Community College, on the death of her aunt, Ms Mary O'Brien • The Ryan family on the sad passing of Mr Declan Ryan, formerly of Causeway Comprehensive School • Ms Hilary Williams, Coláiste Gleann Lí, on the death of her aunt, Ms Sheila O'Donoghue • Mr Liam McGill, Coláiste Gleann Lí, on the death of his uncle, Mr Patrick Kelly • Ms Nicola O'Sullivan, Colaiste na Sceilge, on the death of her sister, Ms Edel O'Sullivan • Mr Anthony Griffin, Killorglin Community College, on the death of his father, Mr John Griffin • Mr Cian Lenihan, Killorglin Community College, on the death of his grandfather, Mr Mossie Knightly • Ms Anne Moynihan Houlihan, Killorglin Community College, on the death of her uncle, Mr Patrick O'Shea • Ms Deirdre Enright, Kerry Local Creative Youth Partnership, on the death of her mother, Ms Ita Enright • Mr Dermot Healy, Pobalscoil Inbhear Scéine, on the death of his mother, Ms Maria Healy • Mr Michael Maher, Education and Training Boards Ireland, on the death of his mother, Ms Mary Maher • Mr Shane O'Donoghue, Kerry Diocese Office, on the death of his brother, Mr Caoimhin O'Donoghue • The O'Donovan family on the passing of Ms Nellie O'Donovan
1.3	<p>Section 17, Standing Orders of the Board</p> <p>In accordance with Section 17 of the Board's Standing Orders, the meeting was adjourned for 15 minutes to honour the passing of former colleague Ms Norma Thompson, School Completion Programme Coordinator.</p> <p>On behalf of the Board and Executive, An Cathaoirleach Cllr Jim Finucane expressed condolences to the Thompson family during this sad time. Go ndéana Dia trócaire ar a hanam.</p>

05/2024/2	CONGRATULATIONS COMHGHAIRDEAS
2.1	<p>Congratulations/Comhghairdeas An Cathaoirleach shared congratulations to the following:</p> <ul style="list-style-type: none"> • Learners on the Kerry College Digital Journalism, Podcasting, and Radio programme, run in collaboration with Radio Kerry, on being shortlisted for the Radio Documentary of the Year category at the National Student Media (Smedia) Awards for their documentary, "Strokes of Resilience." • Transition Year students of Coláiste na Sceilge for their remarkable achievement in winning the Fexco STEM Passport for Inclusion Award 2024.
05/2024/3	MINUTES - FOR ADOPTION MIONTUAIRISCÍ - LE GLACADH
3.1	<p>The minutes of the Board meeting held on March 26th, 2024, were circulated to Board Members in advance of the meeting. An amendment to the Board meeting minutes, as circulated, was brought to the attention of the Board. The revision pertained to the following:</p> <ul style="list-style-type: none"> • Kerry ETB and Kellcol Limited, with respect to 7 Denny Street, Tralee and the term of the lease revised from January 2025 to January 2030 to <u>July 2024 to June 2029.</u> <p>The minutes were presented to the Board for approval, with due consideration given to the above-referenced amendment.</p> <p style="text-align: center;">Proposed: Cllr. Jim Finucane Seconded: Cllr. Niall O'Callaghan</p> <p>The minutes were adopted and will be signed following the inclusion of the above-referenced amendment after the meeting.</p>

3.2	<p>The minutes of the previous Board meeting held on March 28th, 2024, were circulated to Board Members in advance of the meeting.</p> <p>The minutes were presented to the Board for approval.</p> <p style="text-align: center;">Proposed: Cllr. Deirdre Ferris Seconded: Cllr. Jim Finucane</p> <p>The minutes were adopted and signed at the meeting.</p>
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4.0	EDUCATION AND TRAINING TOPICS FOR DISCUSSION ÁBHAIR OIDEACHAS AGUS OILIÚINT LE PLÉ
4.1	<p>Audit and Risk Committee Annual Report 2022 as per Section 45 (3) of the Education and Training Boards Act, 2013 – Mr John O'Connor, Section 45 Committee Chairperson</p> <p>The Board Members noted receipt of a written report from the Audit and Risk Committee in accordance with the provisions of Section 45(3) of the Education and Training Boards Act, 2013 and Section 4.20 of CL 0002/2019. The report was circulated to the Board Members with the meeting agenda.</p> <p>The report addressed the following areas:</p> <ul style="list-style-type: none"> • Committee Membership • Programme of Work • Risk Management • Technological (Cyber-Security/Disaster Recovery/Business Continuity) Risks • Payroll and Financial Systems • Capital Building Projects • Implementation of Recommendations from Past Audits • Review of System of Internal Control 2023 <p>Following this update and discussion, An Cathaoirleach and the Chief Executive thanked Mr O'Connor and the Audit and Risk Committee Members for the report and their ongoing work and support for Kerry ETB.</p>

05/2024/5	MATTERS ARISING FROM MINUTES NITHE ATÁ AG ÉIRÍ AS NA MIONTUAIRISCÍ																				
5.1	<p>The 'Matters Arising from Minutes' were addressed under the relevant reports as follows:</p> <table data-bbox="571 515 1370 1279"> <tr> <th data-bbox="576 517 708 602">05/2024/5</th><th data-bbox="708 517 1370 602"> MATTERS ARISING FROM MINUTES NITHE ATÁ AG ÉIRÍ AS NA MIONTUAIRISCÍ </th></tr> <tr> <td data-bbox="576 602 708 678">5.1</td><td data-bbox="708 602 1370 678">Killarney National Parks and Wildlife Services – see <i>Further Education and Training Report Section 6.2</i></td></tr> <tr> <td data-bbox="576 678 708 754">5.2</td><td data-bbox="708 678 1370 754">High Court Summons – see <i>Organisation Support and Development Report Section 6.3</i></td></tr> <tr> <td data-bbox="576 754 708 831">5.3</td><td data-bbox="708 754 1370 831">Update on Overdraft – see <i>Finance Report Section 6.4</i></td></tr> <tr> <td data-bbox="576 831 708 907">5.4</td><td data-bbox="708 831 1370 907">Kerry College Killarney Campus Building Project – see <i>Capital and Buildings Report Section 6.6</i></td></tr> <tr> <td data-bbox="576 907 708 983">5.5</td><td data-bbox="708 907 1370 983">Rent Review for Unit 102, Centrepont – see <i>Capital and Buildings Report Section 6.6</i></td></tr> <tr> <td data-bbox="576 983 708 1059">5.6</td><td data-bbox="708 983 1370 1059">Lease (FET) for 'Ansaldo'- Block F Monavalley – see <i>Capital and Buildings Report Section 6.6</i></td></tr> <tr> <td data-bbox="576 1059 708 1135">5.7</td><td data-bbox="708 1059 1370 1135">Legal Summons by Infrastructure Investment Fund ICAV acting in respect of its sub-fund, the Valley Healthcare Fund (Head Office Service Charges) – see <i>Chief Executive's Report Section 6.7</i></td></tr> <tr> <td data-bbox="576 1135 708 1211">5.8</td><td data-bbox="708 1135 1370 1211">Annual Report 2023, as per Section 28 of the Education and Training Boards Act, 2013 – see <i>Governance Report Section 7.8</i></td></tr> <tr> <td data-bbox="576 1211 708 1279">5.9</td><td data-bbox="708 1211 1370 1279">Update re Chairperson's Comprehensive Report to the Minister for Education – see <i>Governance Report Section 7.9</i></td></tr> </table>	05/2024/5	MATTERS ARISING FROM MINUTES NITHE ATÁ AG ÉIRÍ AS NA MIONTUAIRISCÍ	5.1	Killarney National Parks and Wildlife Services – see <i>Further Education and Training Report Section 6.2</i>	5.2	High Court Summons – see <i>Organisation Support and Development Report Section 6.3</i>	5.3	Update on Overdraft – see <i>Finance Report Section 6.4</i>	5.4	Kerry College Killarney Campus Building Project – see <i>Capital and Buildings Report Section 6.6</i>	5.5	Rent Review for Unit 102, Centrepont – see <i>Capital and Buildings Report Section 6.6</i>	5.6	Lease (FET) for 'Ansaldo'- Block F Monavalley – see <i>Capital and Buildings Report Section 6.6</i>	5.7	Legal Summons by Infrastructure Investment Fund ICAV acting in respect of its sub-fund, the Valley Healthcare Fund (Head Office Service Charges) – see <i>Chief Executive's Report Section 6.7</i>	5.8	Annual Report 2023, as per Section 28 of the Education and Training Boards Act, 2013 – see <i>Governance Report Section 7.8</i>	5.9	Update re Chairperson's Comprehensive Report to the Minister for Education – see <i>Governance Report Section 7.9</i>
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05/2024/6	EXECUTIVE UPDATES UASDÁTÚ ÓN BHFEIDHMEANNAS
6.1	<p>Schools, Youth and Music Report</p> <p>The Schools, Youth, and Music Report, which had been circulated in advance of the meeting, was noted by the Board and taken as read. The report addressed the following topics:</p> <ul style="list-style-type: none"> • Update on Progress Strategic Plan Quarter 1, 2024 • Update on Priorities Quarter 2, 2024 <p>Board Members thanked the Director of SY&M, who was unable to attend the meeting, for her report as circulated.</p>
6.2	<p>Further Education and Training Report</p> <p>The Further Education and Training Report, as circulated in advance of the meeting, was presented by the Director of FET, Mr Owen O'Donnell, and was noted by the Board and taken as read. The report addressed the following topics:</p> <ul style="list-style-type: none"> • Killarney National Parks and Wildlife Services – <i>as per Matters Arising Section 5.1</i> • Kerry ETB FET 2024 Budgets • Kerry ETB FET 2024 Beneficiaries • French-Irish Symposium on Vocational Education and Training • FET Capital Projects <p><u>Killarney National Parks and Wildlife Services – <i>as per Matters Arising Section 5.1</i></u></p> <p>Following the updates provided at the February and March 2024 Board meetings, the Director of FET met with the National Parks and Wildlife Service (NPWS) on April 30th, 2024. This meeting addressed the various options regarding future staffing arrangements for the schools' education programme, given that the planned TUPE process is no longer being pursued by the NPWS.</p> <p>The Director of FET informed Members of the Board that, during the April 30th meeting, the NPWS declined the offer to transfer the delivery of the schools' education programme from the NPWS to Kerry ETB. It was reiterated to the Board that the current arrangement, where Kerry ETB staff work under the management of NPWS with Kerry ETB recouping salaries, will end on June 30th, 2024. After this date, these staff members are set to revert back under the management of Kerry ETB.</p>

	<p>In the ensuing discussion, it was noted that a five-year Service Level Agreement (SLA) between Kerry ETB and the NPWS is currently under consideration. Under this agreement, Kerry ETB would provide the programme for the NPWS according to the terms of the agreed SLA.</p> <p>A further update to be provided at the next meeting.</p> <p>Board Members thanked the Director of FET for his report as circulated.</p>
6.3	<p>Organisation Support and Development Report</p> <p>The Organisation Support and Development Report, as circulated in advance of the meeting, was presented by the Director of OS&D, Ms Maria Brennan, and was noted by the Board and taken as read. The report addressed the following:</p> <ul style="list-style-type: none"> • High Court Summons – <i>as per Matters Arising Section 5.2</i> • Governance, Compliance and Risk System • Internal Controls <p>In addition to her report as circulated, the Director of OS&D provided an overview of the draft “Financial Control Framework.”</p> <p><u>High Court Summons – <i>as per Matters Arising Section 5.2</i></u></p> <p>Members were advised that there have been no further updates to report on the Kerry Diocesan Youth Service’s Pension Scheme proceedings.</p> <p>A further update to be provided at the next meeting.</p> <p><u>Draft Financial Control Framework</u></p> <p>The Director of OS&D advised Members of the Board that a draft copy of Kerry ETB’s revised Financial Control Framework had been included with the meeting documentation. This framework outlines how the Kerry ETB Finance Department, in collaboration with Senior Management, allocates, oversees, and regulates the organisation’s financial assets. The finalised version will be presented for approval to the new Board later this year.</p> <p>The Board noted receipt of the draft Financial Control Framework.</p> <p>Board Members thanked the Director of OS&D for her report as circulated.</p>

Finance Report

The Chief Executive welcomed and introduced Ms Heather Shanahan to the Members following her appointment as the Acting Head of Finance. It was noted that Mr Tommy Conroy had transitioned roles from the Finance Department to the CCT Department, specifically in to the area of Sustainability. The permanent Head of Finance, i.e. Assistant Principal Officer or APO, post is currently being publicly advertised.

On behalf of the Board, An Cathaoirleach wished them both success in their new roles.

The Finance Report, as circulated in advance of the meeting, was presented by the Acting Head of Finance, and was noted by the Board. The report addressed the following:

- Update on Overdraft – *as per Matters Arising Section 5.3*
- Financial Status
- Funding for 2024
- Annual Financial Statements

Update on Overdraft – as per Matters Arising Section 5.3

As of the meeting (May 28th, 2024), the Acting Head of Finance confirmed that the overdraft facility of €2 million is now in place for Kerry ETB. This overdraft will remain in place until the end of October 2024, as per the original approval received from the Minister (dated October 25th, 2023).

Members welcomed this update.

Financial Status

The Acting Head of Finance presented a summary of finances as of April 30th, 2024, as follows:

KERRY ETB CASH GRANTS AS AT 30th APRIL 2024				
ITEM	Opening Grant Cash Balance *	Receipts	Payments	Closing Grant Cash Balance
Main Scheme				
Pay			(10,662,423)	
Non Pay			(1,070,052)	
Main Scheme Total	111,400	10,184,021	(11,732,476)	(1,437,055)
Associated Main Scheme	554,936	825,727	(217,253)	1,163,410
Capital	830,045	5,205,837	(4,801,675)	1,234,208
Further Education	(44,890)	15,521,617	(17,402,429)	(1,925,703)
Youth Affairs	59,066	493,284	(406,809)	145,541
Agency	458,742	421,785	(462,779)	417,748
Self-Financing	779,686	246,932	(293,019)	733,598
Total:	2,748,985	32,899,203	(35,316,440)	331,747

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	<p>Members of the Board were advised that Kerry ETB currently holds a strong bank balance, but cash flow is tight and being closely managed. Ms Shanahan advised that Kerry ETB is continually monitoring expenditure and endeavouring to keep costs to a minimum to ensure spending remains within limits to the end of 2024.</p> <p>As of May 17th, 2024, it was noted that Kerry ETB had spent 53% of its total allocation on Head Office costs for the calendar year. Included in this was expenditure relating to insurance premiums, rents and the ETBI contribution.</p> <p>An Cathaoirleach thanked the Acting Head of Finance for her report and detailed commentary.</p>
6.5	<p>Corporate, Capital and Technology Report</p> <p>The Corporate, Capital and Technology Report, which had been circulated in advance of the meeting, was presented by the Head of CCT, Ms Aileen O'Connor. The report was noted by the Board and taken as read. The report addressed the following topics:</p> <ul style="list-style-type: none"> • Sustainability • ICT Security (including Baseline Standards Information Security Management System) • Health and Safety <p><u>Sustainability</u></p> <p>The Head of CCT presented the <i>Kerry ETB Sustainability Strategy 2024-2026</i> for the approval of the Board (<i>approval for Kerry ETB Sustainability Strategy 2024-2026 noted under Section 7.2</i>).</p> <p>The Head of CCT advised that the strategy had been developed over the past 18 months with the support of stakeholders. It outlines Kerry ETB's collective commitment to a sustainable future across five key areas (goals):</p> <ul style="list-style-type: none"> • Staff Engagement • Student/Learner/Apprentice Engagement • External Stakeholder Engagement • Energy Sustainability • Estates Management <p>In addition to the above, the Head of CCT highlighted to Members of the Board some implementation highlights up to Quarter 2, 2024, including the following:</p> <ul style="list-style-type: none"> • Finalised an accompanying Climate Action Plan and Climate Action Roadmap

- Ongoing implementation of energy audit findings
- Continued engagement with the Transport for Ireland Smarter Travel Programme
- Completion of ETBI Energy Survey
- Engagement with SEAI to provide energy in education training to Kerry ETB schools/centres
- Completion of M&R or "Monitoring & Reporting" to the Sustainable Energy Authority of Ireland (SEAI)

In relation to the latter M&R, reporting of same is in line with Statutory Instrument 426 of 2014, European Union (Energy Efficiency) Regulations 2014. The Board were advised of the following energy usage for 2023:

	2023 Consumption kWh	Emissions kgCO ₂
Electricity	2,189,289	688,249
Thermal*	2,402,821	590,429
Transport*	62,124	16,339
	4,654,234	1,295,017

It was noted that this data would be submitted to SEAI before the June 28th, 2024, deadline and will be included in the Annual Report 2023 to the Minister.

The Board noted same.

An Cathaoirleach thanked the Head of CCT for her comprehensive report.

6.6

Capital and Buildings Report

The Capital and Buildings Report, which had been circulated in advance of the meeting, was presented by the Head of CCT, Ms Aileen O'Connor. The report was noted by the Board and taken as read. The report addressed the following topics:

- Kerry College Killarney Campus Building Project – *as per Matters Arising Section 5.4*
- Rent Review for Unit 102, Centrepont – *as per Matters Arising Section 5.5*
- Lease (FET) for 'Ansaldo'- Block F Monavalley – *as per Matters Arising Section 5.6*
- Kerry ETB Head Office Accommodation
- Land and Leases:
 - Lease Extension for Approval (FET): Kerry ETB and Kellcol Limited
 - Lease Renewal for Approval (FET): Kerry ETB and High Street Bond

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- Lease Renewal for Approval (FET): Kerry ETB and Tadhg and Marian McGillicuddy
- Lease Renewal for Approval (FET): Kerry ETB and Comharchumann Forbartha Chorca Dhuibhne
- Lease Renewal for Approval (FET): Kerry ETB and John Keane
- Licence Agreement for Approval (SY&M): Kerry ETB and Tralee Harriers Limited
- Licence Agreement (OS&D): Stephen Carroll and Lee Carey and Killorglin Sports and Leisure Company Limited by Guarantee
- Purchase of House and Lands, Coláiste na Ríochta
- Gift of Land, Tahilla Community National School - for approval
- Portal Asset Holdings Development, Killarney Community College
- District Court Notice, Kerry College Killarney Admissions Office
- Lease for Lyreacrompane National School
- Lease for Áras an Phobail
- Lease for Island Point, Castleisland
- Licence Agreement for Castleisland AFC
- Shed at Causeway Comprehensive School
- Applications awaiting Department of Education/ Department of Further and Higher Education, Innovation and Science approval

Kerry College Killarney Campus Building Project – as per Matters Arising Section 5.4

There were no further updates to report since those presented during the February 2024 Board meeting, save for a College of the Future workshop held in Dublin with SOLAS and the Department of Further and Higher Education, Innovation and Science (DFHERIS) on April 24th, 2024. Kerry ETB awaits formal feedback in respect of same.

A further update to be provided at the next meeting.

Rent Review for Unit 102, Centrepoint – as per Matters Arising Section 5.5

The revised annual rent for Unit 102, Centrepoint, was approved at the March 26th, 2024, Board meeting. The details of the revised rent, as noted in the minutes of the meeting, were as follows:

- Unit 102 Annual Rent Costs: €45,204 (€12 per square foot)
- Annual Service Charges: €9,418 (€2.50 per square foot)
- Arrears Payments: €37,934 (effective from August 1st, 2021)

It was noted that following the approval of the Board, Kerry ETB submitted an application to the DFHERIS and SOLAS for approval of the rent review as agreed by the Board. This submission was made on May 13th, 2024.

Kerry ETB has agreed to a rent review memo with the landlord's legal agent, Saville. Once approval from the DFHERIS and SOLAS has been received, Kerry ETB will sign the memo and proceed to payment.

A further update to be provided at the next meeting.

Lease (FET) for 'Ansaldo,' Block F, Monavalley – as per Matters Arising Section 5.6

At the March 26th, 2024, Board meeting, Members of the Board and Executive discussed the changed lease terms for the 'Ansaldo,' Block F, Monavalley being proposed by the new landlord, Manor Capital Properties. Also discussed was the landlord's offer to proceed to mediation (letter dated February 9th, 2024). Following the meeting, on April 19th, 2024, Kerry ETB's legal agents, Murphy Ramsey Walsh (MRW) Solicitors, responded to the landlord's mediation request. In its response, Kerry ETB proposed the following in consideration rather than entering into mediation:

- Access to the rear lands for a period of two years at €2,500 per annum (not the full lease period as originally suggested). This would be two years from the agreement, i.e. if an agreement is reached in May 2024, it will run to May 2026.
- Insertion of a Break Clause in Year Five in favour of Kerry ETB only. As the proposed commencement date of the lease is September 1st, 2022, the Break Clause (at Year 5) would be effective from September 1st, 2027.

As of the date of the Board meeting (May 28th, 2024), Kerry ETB had yet to receive a response from the landlord's representative regarding its proposal.

A further update to be provided at the next meeting.

Kerry ETB Head Office Accommodation

In July 2023, Kerry ETB submitted a business case and proposal to the DE regarding the development of the Moyderwell Building into a permanent Head Office. The Order of Magnitude Report estimated costs to carry out works to the building and to fit out for the proposed permanent Head Office at €4,674,254.21 ex VAT.

Following this submission, Kerry ETB had not received formal feedback from the DE on this proposal. At a recent meeting on May 21st, 2024 with the DE, the need to establish a permanent Head Office for the ETB was addressed

including the Moyderwell building proposal and recent communications re same (April 10th, 2024).

As the proposal re the Moyderwell has not progressed significantly, after a thorough review of accommodation needs in Tralee, it was noted that Kerry ETB had decided to transfer the Youthreach Provision in Tralee to the Moyderwell Building. With the leases for Youthreach in Tralee due for renewal, this decision has the potential to yield overall rent savings of approximately €226,600 per annum.

Currently, Moyderwell Mercy National School uses half of the building with the remainder of the building used for storage. It was noted that from September 2024, the remaining half will accommodate Youthreach, with the entire building planned to be used Youthreach from September 2025.

Official notification of this decision was communicated to Ms. T. O'N, DE Principal Officer, on April 10th, 2024. In addition, the use of the building for Youthreach was addressed at the meeting with the DE on May 21st 2024.

Work to prepare the building will be progressed over the summer period.

The Board noted this update.

Lease Extension for Approval (FET): Kerry ETB and Kellcol Limited

Members of the Board were reminded that Kerry ETB occupies 5-8 Denny Street, Tralee, to accommodate its Kerry College Denny Street Campus provision. The lease with Kellcol Limited was signed in 2018 for a period of 10 years until September 2028.

The lease for 5-8 Denny Street contains a provision for a rent review effective from September 10th, 2023, which was enacted by the landlord's representative, Ger Carmody, and advised to Kerry ETB on February 1st, 2024. Presently, the rent for 5-8 Denny Street, Tralee, is €96,440 per annum (plus VAT) or €10 per square foot.

Following negotiations, a revised rent of €12 (plus VAT) per square foot has been proposed as follows:

5-8 Denny Street, Tralee		
	Current Rent	Proposed Rent
Rent Costs	€96,440 per annum (plus VAT) or €10 per square foot	€115,200 per annum (plus VAT) or €12 per square foot
Term	September 2028	September 9 th , 2030

In addition to the above, it has also been provisionally agreed to remove the Break Clause, which currently entitles Kerry ETB to terminate the lease in 2026, all strictly subject to:

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- There being no further rent review for the remainder of the lease.
- The revised/increased rent is payable only from the date of agreement between the parties, i.e. no arrears payable from September 10th, 2023.

Following the rent review, the proposed annual rent for 5-8 Denny Street, Tralee, as set out above, was presented for Board approval.

The Board approved the revised terms as presented.

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

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

Lease Renewal for Approval (FET): Kerry ETB and High Street Bond

Board approval was sought for the renewal of the lease for Killarney ABE at First Floor 37 High Street, Killarney, under the following terms:

High Street Bond Street Limited with respect to First Floor, 37 High Street, Killarney	
Justification:	Continued accommodation for provision of the ABE programme in Killarney
Area:	c. 2,150 square feet
Rent:	€26,000 ex VAT per annum plus service charge of €6,500 ex VAT
Term:	Five years: December 1st, 2024 to November 30 th , 2029

The Board approved the lease renewal as per the terms presented.

Proposed: Cllr. Jim Finucane
Seconded: Cllr. Deirdre Ferris

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

Lease Renewal for Approval (FET): Kerry ETB and Tadhg and Marian McGillicuddy

Board approval was sought for the renewal of the lease for Killarney ABE at Third Floor 37 High Street, Killarney, under the following terms:

Tadhg and Marian McGillicuddy with respect to Third Floor, 37 High Street, Killarney	
Justification:	Continued accommodation for provision of the ABE programme in Killarney
Area:	c. 2,500 square feet
Rent:	€30,000 ex VAT per annum
Term:	Two years: July 1 st , 2024 to June 30 th , 2026

The Board approved the lease renewal as per the terms presented.

Proposed: Ms Joan McCrohan

Seconded: Cllr. Johnnie Wall

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

Lease Renewal for Approval (FET): Kerry ETB and Comharchumann Forbartha Chorca Dhuibhne

Board approval was sought for the renewal of the lease of a classroom in Comharchumann Forbartha Chorca Dhuibhne, Ballyferriter, under the following terms:

Comharchumann Forbartha Chorca Dhuibhne	
Justification:	Continued lease of a classroom for Irish Language training
Area:	c. 550 square feet
Rent:	€9,500 ex VAT per annum
Term:	Two years: September 1 st , 2024 to August 31 st , 2026

The Board approved the lease renewal as per the terms presented.

Proposed: Cllr. Jim Finucane

Seconded: Cllr. Johnnie Wall

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

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Lease Renewal for Approval (FET): Kerry ETB and John Keane

Board approval was sought for the renewal of the lease for Killarney Pathways at Ivy House, New Street Carpark, Killarney, under the following terms:

John Keane, with respect to Ivy House, New Street, Car Park, Killarney	
Justification:	Continued accommodation for provision of the Killarney Pathways Programme (previously VTOS)
Area:	c. 3,465 square feet
Rent:	€52,000 per annum (VAT not applicable)
Term:	Three years: September 1 st , 2024 to August 31 st , 2027

The Board approved the lease renewal as per the terms presented.

Proposed: Mr Zaid Kassoob
Seconded: Cllr. Deirdre Ferris

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

Licence Agreement for Approval (SY&M): Kerry ETB and Tralee Harriers Limited

Board approval was sought for a Licence Agreement between Kerry ETB and Tralee Harriers Limited with respect to the use of Tralee Harriers Athletic Club on Dan Spring Road, Tralee, by Gaelcholáiste Chiarraí under the following terms:

Tralee Harriers Limited with respect to Tralee Harriers Athletic Club, Dan Spring Road, Tralee	
Justification:	Use by Gaelcholáiste Chiarraí of the Tralee Harriers Athletic Club facilities
Fee:	€1,000 per annum
Term:	Two years: September 1 st , 2023 to August 31 st , 2025

The Board approved the licence agreement as per the terms presented.

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

It was noted that the licence agreement is subject to Department approval

Licence Agreement for Approval (OS&D): Stephen Carroll and Lee Carey and Killorglin Sports and Leisure Company Limited by Guarantee

The Capital and Building Officer advised that a request was received by letter on April 26th, 2024, from Killorglin Sports and Leisure Company Limited by Guarantee. The Centre is proposing to permit a third party permission to run a gym within the centre following the closure of the "AFitBody Gym" in the town. Expressions of interest were sought and assessed by the Board of Killorglin Sports and Leisure Company Limited by Guarantee.

As per the terms of the lease, the Sports Centre is required to obtain written approval from Kerry ETB as the landlord to allow Killorglin Sports and Leisure Company Limited by Guarantee to enter into a license agreement with Stephen Carroll and Lee Carey for the use of the gym under the following terms:

Stephen Carroll and Lee Carey and Killorglin Sports and Leisure Company Limited by Guarantee	
Justification:	Permit Killorglin Sports and Leisure Company Limited by Guarantee to enter into a licence agreement with Stephen Carroll and Lee Carey for the use of the gym and changing facilities within the Sports Complex
Fee:	€150 per week
Term:	One year: May 1 st , 2024 to April 30 th , 2025

The Board approved the licence agreement as presented.

Proposed: Cllr. Terry O'Brien

Seconded: Cllr. Jim Finucane

Purchase of House and Lands, Coláiste na Ríochta

At its meeting on April 25th, 2023, the Board of Kerry ETB approved the purchase of a house and lands adjacent to Coláiste na Ríochta in Listowel, specifically Folios KY22244 and KY65963F, for an agreed price of €355,000, subject to DE approval.

At the meeting, the Board was informed that Kerry ETB had received an email from the DE on May 9th, 2024, advising that, following a review, Kerry ETB would not be provided with approval to proceed with the acquisition.

Cllr. Aoife Thornton expressed her disappointment at this news and emphasised that the acquisition of the property was important for the development of the school site, future traffic management arrangements etc.

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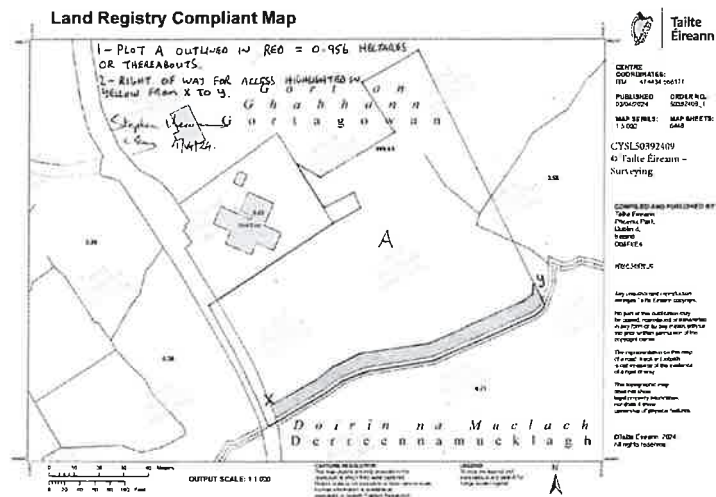
This update was noted by the Board.

Gift of Land, Tahilla Community National School - for approval

Kerry ETB has been offered a 'gift' of land from Mr J G in Tahilla to facilitate future developments at Tahilla Community National School (CNS). Plans for the land include additional car park space, an extended play area, and septic tank upgrades (all subject to funding and approval).

On April 3rd, 2024, Kerry ETB's engineer met on-site at Tahilla CNS to review the extent of the proposed land to be 'gifted' and map the area in question.

As per the map, as included below, outlined in red and marked "A", are the 0.956 hectares proposed to be transferred from Mr G to Kerry ETB. Shown is a right of way coloured in yellow and marked "X-Y" which will be granted to Mr G for access to lands retained further north of Tahilla CNS.



Following this meeting, the school's Board of Management reviewed the map at its April 17th, 2024 meeting. On April 18th, Tahilla CNS BOM sent a letter indicating their acceptance of the land from Mr Gleeson, contingent on approval of the acquisition by the Board of Kerry ETB and the DE.

During the meeting, in consideration of the gift, Members of the Board first and foremost expressed gratitude for Mr G's generous offer, acknowledging its potential positive impact on the school's development. The discussion then focused on the potential risks and opportunities involved in the proposed gift, summarised as follows:

Potential Opportunities:

- The additional land could be used to expand school facilities.

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- With more land, Tahilla CNS site can accommodate more pupils.

Potential Risks:

- Kerry ETB currently leases the site on which Tahilla CNS is located from the Diocese of Kerry (St Brendan's Trust).
- Separate ownership of the sites may give rise to difficulties securing funding for the development of the new area of land to be "gifted" to the ETB, i.e. the Diocese of Kerry owns the school site and the ETB would own the new area of land to be gifted.

The Chief Executive suggested that future funding matters need to be fully explored with the DE before proceeding further. Given the separate legal ownership of the two adjacent sites, he highlighted the need to clarify in advance whether future development would be funded by the DE. This is a key consideration, as the ETB might incur costs for the land transfer without guaranteed approval for future development funding.

He advised that more time is required to thoroughly evaluate the proposal, including clarifying future funding, calculating the costs associated with maintaining and utilising the new land, obtaining engineers' reports, and completing land registration. Additionally, the potential long-term legal complexities and uses of the land require further consideration, particularly in relation to what Kerry ETB would do with the land if their lease for the school were to end.

The Board noted their agreement with the views of the Chief Executive re the need for matters to be fully explored with the DE prior to progressing matters further.

A further update will be provided at the next meeting.

District Court Notice, Kerry College Killarney Admissions Office

It was noted that Kerry ETB received a notice from Kerry County Council regarding action taken under Section 108(3) of the Environmental Protection Agency Act, 1992 against Kerry ETB. It is alleged that Kerry ETB's heating system at 25 High Street, Killarney (Kerry College Admissions Office), is emitting excessive noise, and Kerry County Council is taking action on this basis.

The notice stated that the matter would be considered at the District Court sitting in Killarney on June 11th, 2024.

The Chief Executive advised of his immediate and direct engagement with the Council in relation to this matter when this matter was brought to his attention. He confirmed that steps are in progress to resolve the issues and expressed his understanding that the matter would no longer proceed to court.

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A further update will be provided at the next meeting.

Lease for Lyreacrompane National School (SYM)

Members were advised that the patronage transfer of Lyreacrompane National School to Kerry ETB is progressing. When the terms of the lease for the school's building with the Diocese of Kerry have been finalised, the lease will be presented to the Board for approval. The planned timeline for same is Quarter 3, 2024.

The Capital and Buildings Officer advised that it is his understanding that the terms of the lease will be similar to those of the current Kerry ETB Community National School leases held with the Diocese of Kerry (i.e. Two Mile CNS, Tahilla CNS and Scoil an Ghleanna, Scoil Náisiúnta Phobail).

The draft terms of the lease are currently under consideration by the Diocese of Kerry.

A further update will be provided at the next meeting.

Lease for Island Point, Castleisland (FET)

Members were advised that the lease for Island Point, Castleisland, was approved at the Kerry ETB Board meeting on July 25th, 2023, and by the DFHERIS on October 26th, 2023. However, on April 16th, 2024, Kerry ETB received confirmation from the landlord of Island Point Castleisland that the unit is no longer available. Consequently, the lease for Island Point, Castleisland will not be proceeding. It has been the intention for Kerry ETB to relocate its ABE and Community Education Programmes to the new unit.

The Head of CCT clarified that Kerry ETB had not taken occupancy of the Island Point property as it was waiting for the landlord to complete necessary works on the facility.

The Board was advised that the lease for the existing accommodation at Castleisland Community Centre has expired, as it had been the intention of Kerry ETB to vacate the property and relocate to Island Point. The Head of CCT confirmed that the team had already commenced an active review of accommodations options in Castleisland. In the interim, Kerry ETB will continue to occupy rooms it had previously leased in Castleisland Community Centre, presently paying rent on a half yearly basis.

The Board thanked the Head of CCT and the Capital and Buildings Officer for their comprehensive report and the updates provided.

Chief Executive's Report

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

- Legal Summons by Infrastructure Investment Fund ICAV acting in respect of its sub-fund, the Valley Healthcare Fund (Head Office Service Charges) – *as per Matters Arising Section 5.7*
- Update on Board Establishment
- Oversight Agreement 2023-2025 (Early Warning Report Q1)
- Blending Working Policy Update
- Leadership Sessions
- Western Norway University of Applied Sciences – Diver Education Programme
- Newsletter 2023
- Tralee Sports and Leisure Centre Company Limited by Guarantee
- Over the Water Sports Centre Company Limited by Guarantee

Legal Summons by Infrastructure Investment Fund ICAV acting in respect of its sub-fund, the Valley Healthcare Fund (Head Office Service Charges) – as per Matters Arising Section 5.7

6.7

At the March 29th, 2024, Board meeting, it was noted that the landlord's High Court proceedings, originally scheduled for March 5th, 2024, were deferred for approximately four weeks to allow sufficient time for clarification concerning the application of the blanket 23% VAT to the service charge. The proceedings were rescheduled for May 7th, 2024.

The Chief Executive advised Members of the Board that Murphy Ramsay Walsh (MRW) confirmed to Kerry ETB a further adjournment to June 25th, 2024, and additional correspondence from the landlord's legal representatives was noted.

As discussed in previous meetings, all payments due have been made by Kerry ETB.

On May 3rd, 2024, MRW Solicitors informed Kerry ETB that the landlord is seeking changes to the current lease to avoid any potential future disputes re oil and service charges VAT payments. Essentially, the landlord is seeking a variation of the lease with two main provisions: (1) Kerry ETB, as the tenant, agrees to pay oil charges on a pro-rata of internal floor area leased across all oil-consuming tenants, and (2) the lease is altered to allow for Valued Added Tax at the standard rate (currently 23%) to be payable in respect of the service charges.

As addressed earlier in the meeting, Kerry ETB's Chief Executive and Director of OS&D met with the DE on May 21st, 2024. This matter was referenced at this meeting. Correspondence had been sent to the DE on

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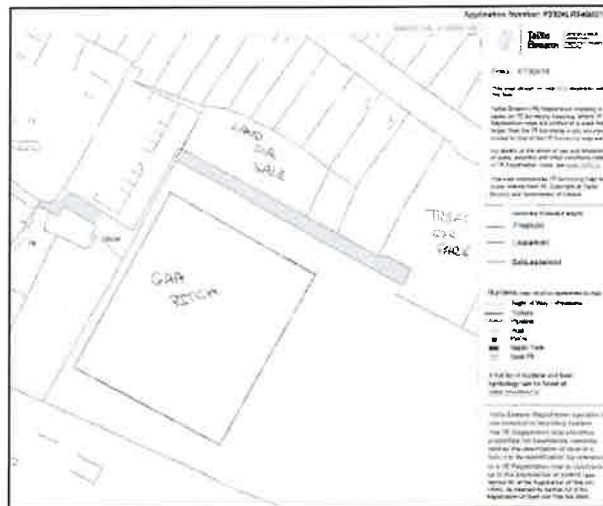
May 10th, 2024, seeking advice regarding the application of the blanket 23% VAT to the service charge. Kerry ETB awaits clarification from the DE on the application of the blanket 23% VAT to the service charge.

Members noted this update.

A further update will be provided at the next meeting.

Tralee Sports and Leisure Centre Company Limited by Guarantee

The Chief Executive advised Members of the Board of the acquisition of a small parcel of land by Tralee Sports and Leisure Centre Company Limited by Guarantee. The primary driver for this land purchase is to provide additional space to expand the site's parking facilities. See the area below marked "land for sale" being the land parcel purchased by the Company.



An Cathaoirleach in addressing this matter, welcomed this development and referenced the longstanding parking issues that can arise when the centre when hosting large events. It was clarified that it is the Company that is purchasing this small parcel of land.

Members of the Board welcomed this development.

A further update will be provided at the next meeting.

05/2024/7	GOVERNANCE RIALACHAS
7.1	<p>Risk Management Update</p> <p>In line with the provisions of Circular Letter 0002/2019, Provision 7(d), the Corporate Risk Register (Version 1.1, 2024) was circulated to Board Members with the agenda for the meeting and presented by the Chief Risk Officer, Ms Maria Brennan. The register, it was noted, was reviewed by the Audit and Risk Committee on May 8th, 2024.</p> <p><i>Four risks have been removed from the register:</i></p> <ul style="list-style-type: none"> • The risk of a potential energy shortage has been removed completely. • The DCS risk has been de-escalated to the Finance Register. • The social inclusion risk has been de-escalated to the SY&M Register. • The blended working arrangements risk has been de-escalated to the HR Register. <p><i>New to the register:</i></p> <ul style="list-style-type: none"> • The challenge of meeting the expectations of stakeholders in relation to equality, diversity and inclusion • Pandemic or emergency event (another public health, national, European, or international emergency) • Concern re the process of transitioning to a new board <p>Members were asked to carefully review the current and future actions/controls identified by the Executive for each risk, along with the ratings assigned to same.</p> <p>Board approval was sought for the Corporate Risk Register (Version 1.1, 2024) in accordance with Circular Letter 0002/2019, Provision 7(d).</p> <p>The Board approved the Corporate Risk Register (Version 1.1, 2024) as presented.</p> <p style="text-align: right;">Proposed: Cllr. Terry O'Brien Seconded: Cllr. Jim Finucane</p>

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7.2

Governance and Policy Framework

Ms Maria Brennan, Director of OS&D, presented the following policies and procedures, which were circulated with the agenda, for approval:

- Communications Policy and Procedure (Revision)
- Email Etiquette Policy (Revision)
- Firewall Policy
- Fundraising & Receipt of Donations Policy & Procedure (Revision)
- ICT Patch and Configuration Policy
- ICT Security Framework Policy
- Overpayments Policy and Procedure (Revision)
- Phishing Awareness and Training Policy
- Physical Access and Environmental access policy
- Travel and Subsistence Policy and Procedure (Revision)

The Board approved the above-listed policies and procedures as presented.

Proposed: Cllr. Aoife Thornton

Seconded: Cllr. Deirdre Ferris

Ms Aileen O'Connor, Head of CCT, presented the Kerry ETB Sustainability Strategy 2024-2026, which was circulated with the agenda for approval.

The Board approved Kerry ETB Sustainability Strategy 2024-2026 as presented.

Proposed: Cllr. Johnnie Wall

Seconded: Ms Joan McCrohan

7.3

Section 44 Committees: Minutes

Ms Maria Brennan, Director of OS&D, presented the following Section 44 Committees' minutes, as circulated with the agenda, for approval:

Section 44 Committee	Date of Meeting	Attendees
Two Mile CNS	25.09.23	Nil
	04.12.23	Nil
Tahilla CNS	03.10.23	Nil
Castleisland Community College	25.01.24	Fionnán, Joan
Causeway Comprehensive School	19.02.24	Aoife, Maria O'G
Coláiste Gleann Lí	08.02.24	Joe
	21.03.24	Terry
Coláiste na Ríochta	16.10.23	Maria O'G
	11.12.23	Maria O'G
	26.02.24	Celia
Coláiste na Sceilge	29.11.23	Joan
Gaelcholáiste Chiarraí	25.01.24	Niall L
Killarney Community College	10.05.23	Nil
	27.09.23	Marie M
	22.11.23	Marie M
	16.01.24	Marie M
	10.04.24	Marie M
Killorglin Community College	21.11.23	Fionnán, John
Youthreach	28.02.24	Nil
Kerry College	17.10.23	Jim, Terry, Norma
	12.12.23	Jim, Norma
	06.02.24	Terry, Norma
FETC	31.01.24	Deirdre, Marie O'G, Michael
Youth Work	25.10.23	Nil
	09.01.24	Marie M

The Board approved the above-listed minutes.

Proposed: Ms Joan McCrohan

Seconded: Ms Deirdre Ferris

7.4

Section 44 Committees: Appointments and Vacancies

Ms Maria Brennan, Director of OS&D, presented the following Section 44 Committee appointment, as circulated with the agenda, for approval:

Section 44 Committee	Nomination
Tahilla Community National School	Anne-Marie Cleary, Community Nominee

Proposed: Cllr. Terry O'Brien

Seconded: Mr Zaid Kassoob

7.5	<p>Partnership Schools: Appointments and Vacancies</p> <p>Ms Maria Brennan, Director of OS&D, presented the following Partnership Schools’ Board of Management changes in appointment for approval:</p> <table><tr><th>Partnership School</th><th>Nomination</th></tr><tr><td>Pobalscoil Inbhear Scéine</td><td>Con Moynihan - CEO Nominee (replacing Colm McEvoy)</td></tr><tr><td>Scoil Phobail Sliabh Luachra</td><td>Con Moynihan - CEO Nominee (replacing Colm McEvoy)</td></tr></table> <p>Proposed: Cllr. Johnnie Wall Seconded: Cllr. Michael Cahill</p>	Partnership School	Nomination	Pobalscoil Inbhear Scéine	Con Moynihan - CEO Nominee (replacing Colm McEvoy)	Scoil Phobail Sliabh Luachra	Con Moynihan - CEO Nominee (replacing Colm McEvoy)																							
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7.6	<p>Section 45 Committees: Meeting Reports and Minutes</p> <p>Ms Maria Brennan, Director of OS&D, presented the following Section 45 Committees meeting reports and minutes, which were circulated with the agenda, for noting:</p> <table><tr><th>Section 45 Committee</th><th>Document</th><th>Meeting Date</th></tr><tr><td rowspan="5">Audit and Risk</td><td>Meeting Report</td><td>08.05.24</td></tr><tr><td>Meeting Report</td><td>22.05.24</td></tr><tr><td>Minutes</td><td>19.03.24</td></tr><tr><td>Minutes</td><td>08.05.24</td></tr><tr><td>Minutes</td><td>22.05.24</td></tr><tr><td rowspan="7">Finance</td><td>Meeting Report</td><td>25.03.24</td></tr><tr><td>Meeting Report</td><td>28.03.24</td></tr><tr><td>Meeting Report</td><td>01.05.24</td></tr><tr><td>Minutes</td><td>20.02.24</td></tr><tr><td>Minutes</td><td>25.03.24</td></tr><tr><td>Minutes</td><td>28.03.24</td></tr><tr><td>Minutes</td><td>01.05.24</td></tr></table> <p>The Board noted same.</p>	Section 45 Committee	Document	Meeting Date	Audit and Risk	Meeting Report	08.05.24	Meeting Report	22.05.24	Minutes	19.03.24	Minutes	08.05.24	Minutes	22.05.24	Finance	Meeting Report	25.03.24	Meeting Report	28.03.24	Meeting Report	01.05.24	Minutes	20.02.24	Minutes	25.03.24	Minutes	28.03.24	Minutes	01.05.24
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	Minutes	28.03.24																												
	Minutes	01.05.24																												
7.7	<p>Partnership Schools’ Boards of Management: Minutes</p> <p>Ms Maria Brennan, Director of OS&D, presented the following Partnership Schools’ Boards of Management Minutes, which were circulated with the agenda, for noting:</p> <table><tr><th>Partnership Schools’</th><th>Date of Meeting</th></tr><tr><td>Scoil Phobail Sliabh Luachra</td><td>04 03 24</td></tr></table> <p>The Board noted same.</p>	Partnership Schools’	Date of Meeting	Scoil Phobail Sliabh Luachra	04 03 24																									
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7.8	<p>Annual Report 2023, as per Section 28 of the ETB Act 2013 – as per Matters Arising Section 5.8 – for approval</p> <p>The draft Annual Report 2023 was circulated to Members before the meeting.</p> <p>The report was presented by the Director of OS&D to the Board for approval and adoption, as per Section 28 of the Education and Training Boards Act, 2013. Once adopted, the report will be submitted to the Minister for Education by June 30th for presentation to both Houses of the Oireachtas.</p> <p>As per the provisions of Section 28, Education and Training Boards Act 2013, the Annual Report 2023, as presented, was formally adopted by the Board.</p> <p style="text-align: center;">Proposed: Ms Zaid Kassoob Seconded: Cllr. Deirdre Ferris</p> <p>An Cathaoirleach, Cllr. Jim Finucane thanked the Executive for compiling and producing the 2023 Annual Report.</p>
7.9	<p>Chairperson’s Comprehensive Report to the Minister for Education – for approval</p> <p>The Chairperson’s Comprehensive Report (CCR) to the Minister for Education, as per Sections 6.8 and 6.9 of the Code of Practice for the Governance of ETBs (CL 0002/2019), was presented by the Director of OS&D to the Board for adoption.</p> <p>Together with the Annual Report and Financial Statements of Kerry ETB, a comprehensive report, signed by the Chairperson, must be furnished to the Minister. The CCR template follows Section 6.8 of CL 0002/2019 (pages 32 and 33).</p> <p>The CCR to the Minister for Education, as per Sections 6.8 and 6.9 of CL0002/2019), was approved by the Board.</p> <p style="text-align: center;">Proposed: Cllr. Johnnie Wall Seconded: Ms Celia O’Shea</p> <p>The CCR 2023 was signed by An Cathaoirleach and will be returned to the Minister, along with the Kerry ETB Annual Report 2023.</p>

7.10

New ETB Board Formation Update

In addressing the new Board formation arrangements, the Chief Executive referenced correspondence dated May 29th, 2024 by the Minister for Education to the Chief Executives and HR Managers of Local Authorities, with a copy sent to the Chief Executive of the ETB Sector.

Key aspects of the letter addressed:

- Steps to be taken and related requirements by local authorities
- Matters to consider (including relations to other Board Members or staff of the ETB)
- Information for members elected

In particular, the Local Authorities have been advised of the following.

- “....have regard to the guidance on two terms when proposing members, except, to the extent that where doing so, would result in the replacement of all of the local authority's members elected to the ETB board in question or the replacement of such numbers of the local authority's members as could result in a significant adverse impact on the continuity and experience necessary for the incoming board to discharge its responsibilities effectively.”
- Female candidates of the local authority should not feel compelled to put forward unless it is their preference to “seek election to the education and training board...”

In addition, the Chief Executive informed Members of the Board that, following the notice issued on April 5th, 2024, regarding the election arrangements for two staff members to the new Board of Kerry ETB, Mr Joseph Brennan (Pathways Programme Killorglin) and Ms Annette Steinborn (Castleisland Community College) have been appointed as the staff nominees to the new Board.

Matters pertaining to the special interests or knowledge in education nominees are being addressed by the Department. In addition, ETBI and the National Parents' Council have provided the ETBs with a draft process for electing the Parent Nominees.

Members of the Board welcomed these clarifications.

The date of the first election meeting will be August 27th, 2024 at 11:00 am.

The Chief Executive advised that he would write to the Chief Executive of Kerry County Council with notification of the post-election meeting date.

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7.11	<p>Register of Parliamentary Questions (Quarter 1, 2024)</p> <p>The Board members were informed that included in their May meeting pack was a copy of the Register of Parliamentary Questions for Quarter 1, 2024.</p> <p>A total of 6 Parliamentary Questions were received during this period.</p> <p>The Board noted this.</p>
7.12	<p>ETBI Subscription 2024</p> <p>Members were advised that The ETBI contributions invoice for 2024 has been received and paid on April 25th, 2024.</p> <p>The 2024 invoice cited a figure of €104,886.00.</p> <p>Members of the Board noted this.</p>
7.13	<p>Senior Role Secondment</p> <p>In accordance with Section 14 (7) of the Education and Training Boards Act, 2013, which stipulates that a Chief Executive of an ETB must not hold any other office or employment or engage in any other business without the Board's consent, Board approval was sought for the temporary secondment of Mr Colm McEvoy, Chief Executive, to the Department of Further and Higher Education, Research, Innovation and Science to the role of Strategic Advisor, FET College of the Future. The secondment is for 3 years with annual reviews.</p> <p>Board Members, in addressing this matter, complemented the work of the Chief Executive since the establishment of Kerry ETB as of July 1st, 2013. An Cathaoirleach acknowledged the vision, energy, enthusiasm, commitment and collaborative approach, all of which have defined his successful tenure to date as Chief Executive.</p> <p>The Board unanimously approved the secondment.</p> <p style="text-align: center;">Proposed: Cllr. Terry O'Brien Seconded: Cllr. Jim Finucane</p> <p>The Chief Executive expressed his gratitude to the Board, Directors, management teams and all staff for the support over the past 11 years in the role. The Chief Executive stated that it has been his privilege to lead the Kerry ETB since 2013.</p> <p>It was clarified, by the Director of OS&D that the secondment would be subject to the DE approving an Acting Chief Executive position. Accordingly,</p>

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	<p>the next steps include seeking this sanction from the Department and issuing an Expression of Interest to fill the Acting Chief Executive role.</p> <p>The Board extended every best wish to the Chief Executive.</p>
7.14	<p>Listowel Writers' Week Sponsorship Request Members were informed about a sponsorship request received from the Chairperson of Listowel Writers' Week, seeking €2,000 in support for the annual event. The request was received by the Chief Executive on May 16th, 2024.</p> <p>The Chief Executive advised the Board Members that the third party had been informed, with regret, that Kerry ETB is unable to contribute for the year 2024.</p> <p>The Board noted this.</p>

05/2024/8	CORRESPONDENCE COMHFHREAGRAS
8.1	DE Correspondence: Noted as listed
8.2	DE Circular Letters: Noted as listed
8.3	DFHERIS Circular Letters: Noted as listed
8.4	DE Press Releases: Noted as listed
8.5	DFHERIS Correspondence: Noted as listed
8.6	DFHERIS Press Releases: Noted as listed

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8.7	Department of Children, Equality, Disability, Integration and Youth Correspondence: Noted as listed
8.8	ETBI Correspondence Noted as listed
8.9	SOLAS Correspondence Noted as listed
8.10	Other Correspondence Noted as listed

05/2024/9	MEMBERS' BUSINESS GNÓ NA GCOMHALTAÍ
9.1	<p>Killarney Camogie Use of the Killarney Community College Pitch Cllr Niall O'Callaghan raised a question about Killarney Camogie Club using the pitch at Killarney Community College in the evenings and asked if the matter could be explored further with the school's principal—an issue referenced to date referred to the need to have a caretaker on site.</p> <p>In the absence of the Director of SY&M, the Director of OS&D took note to follow up with the Director of SY&M and the school's principal regarding this matter.</p>

05/2024/10	<p align="center">ANY OTHER BUSINESS WITH THE PERMISSION OF AN CATHAOIRLEACH AON GHNÓ EILE LE CEAD AN CHATHAOIRLIGH</p>
10.1	<p>Lyreacrompane Community National School Single Manager Further to the pending transfer of patronage of Lyreacrompane National School to Kerry ETB as its fourth Community National School (CNS), Board approval of the appointment of Mr Pádraig Ó Donnabháin as the Single Manager for the soon-to-be CNS was sought.</p> <p>The Board approved the appointment of Mr Pádraig Ó Donnabháin as the school's Single Manager.</p> <p align="center">Proposed: Cllr. Johnnie Wall Seconded: Ms Joan McCrohan</p> <p>It was noted that the Board of Management (BOM) for Lyreacrompane CNS would be established during the Kerry ETB Board meeting on September 10th, 2024, with nominations to the BOM ratified throughout the early months of the new academic term.</p> <p>The Board welcomed this update.</p> <p>Record Retention/Kerry ETB Board Devices Members of the Board noted receipt of correspondence dated April 8th, 2024, regarding the return of Kerry ETB Board devices and documentation currently held by Board Members. This action aligns with the guidelines outlined in the Department's Circular Letter 0002/2019, Section 5.7, which mandates:</p> <p align="center"><i>"Document Retention: Board members are expected to return all documentation acquired during their terms as board members to the administrative support for the Board. Alternatively, they should confirm the appropriate disposal of such documentation in accordance with relevant legislation, including GDPR....."</i></p> <p>In accordance with the provisions of the Code, all documentation must be securely destroyed or returned to Kerry ETB for proper disposal prior to the establishment of the new Board in July/August 2024. It was added that the return of Kerry ETB Board devices should adhere to the terms outlined in the ICT Equipment Loan Agreement previously signed by Board Members.</p> <p>Members noted same.</p>

Outgoing Elected Members

A presentation was made to An Cathaoirleach Cllr. Jim Finucane in recognition of his 10 years of leadership and dedication to Kerry ETB. Following the meeting, a presentation will also be made to Cllr. Terry O'Brien to honour his work as Leas Cathaoirleach.

Sincere thanks and appreciation were also extended to Cllr. Aoife Thornton and Cllr. Johnnie Wall for their years of support and dedication to Kerry ETB.

On behalf of the Executive team, the Chief Executive wished them all well in their future endeavours.

Post- Election Meeting

It was noted that the post-election meeting, as per Section 31(3) of the Education and Training Boards Act, 2013, will take place on August 27th, 2024, at 11.00 am. The agenda and meeting document will be issued following receipt of confirmation of the new local authority members from Kerry County Council.

This concluded the business of the meeting.

Sínithe/Signed:

Dáta/Date:

May 28th, 2024