

KWETB Board Meeting
Minutes of the Board of KWETB held on Tuesday 23rd June 2020 at 10.30a.m.
Online Meeting through MS Teams.

- Present:** Cllr. Daragh Fitzpatrick in the Chair, Cllr. Tom Fortune Vice-Chair, Cllr. Kevin Duffy, Cllr. Angela Feeney, Cllr. Anne Ferris, Cllr. Peter Hamilton, Mr. Stephen Horan, Mr. Noel Merrick, Ms. Deirdre O'Donovan, Mr. David O'Gorman, Cllr. Lourda Scott, Ms. Caoimhe Molloy, Ms. Alice O'Donnell, Ms Siobhain Grogan, Mr. Noel Magee.
- In attendance:** Dr. Deirdre Keyes C.E., Mr. Joe Kelly Director of OSD, Dr. Rory O'Toole Director of Schools, Ms. Emer Roy KWETB, Dr. Áine Murphy KWETB, Ms. Orla Kealy KWETB.
- Apologies:** Cllr. Bernard Caldwell, Cllr. Patsy Glennon, Cllr. Íde Cussen, Cllr. Evie Sammon, Cllr. Paul O'Brien, and Mr. Ken Seery, Director of FET.
Ms. Alice O'Donnell offered apologies on late arrival at 11am.
Cllr. Anne Ferris gave apologies for early departure at 11:30pm
Cllr. Lourda Scott and Cllr. Kevin Duffy gave apologies for their early departure at 12:45pm

Chairperson, Cllr. Daragh Fitzpatrick resided at the meeting.

Introduction

A roll call of those member's present was called by the Board Administrator and the required quorum was noted by the Chair. The Chair then welcomed the members present and made particular mention of the two new members of the Board in attendance.

The Chair noted for members that public attendance at remote meetings of the Board could not be facilitated by the Executive. He also reminded members of the protocol for attending online meetings, in particular the need to mute microphones when not speaking to reduce background noise and audio feedback.

Minute ETB 01-06-20

No. 1 Conflicts of Interest/Disclosure of Interests

No conflicts of interest were declared by Board members.

Minute ETB 02-06-20

No. 2 Apologies, Sympathies & Congratulations

Apologies: Cllr. Bernard Caldwell, Cllr. Patsy Glennon, Cllr. Íde Cussen, Cllr. Evie Sammon, Cllr. Paul O'Brien.

On suggestion, the Board put forward a vote of sympathy for Detective Garda Colm Horkan who passed away while on duty on 17th June 2020. A minute of silence was held.

Minute ETB 03-06-20

No. 3 Adopting the Minutes of previous meetings

3.1 Minutes of Board meeting of 28th April 2020

Proposed: Cllr. Angela Feeney

Seconded: Mr. Stephen Horan

And Agreed

The Chair took this opportunity to formally introduce the two newest members of the KWETB Board, Ms. Siobhain Grogan from Conradh na Gaeilge and Mr. Noel Magee from IBEC. Both members gave a brief introduction of their background and voiced their enthusiasm in joining the Board of the KWETB.

Minute ETB 04-06-2020

No. 4 Matters Arising from the Minutes
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The Board confirmed there were no matters arising from the April meeting minutes.

4.1 Procurement Presentation

The Director of OSD introduced the Head of Corporate Services, Ms. Emer Roy to present to the Board on Procurement, a request that the Board had expressed from the January Board meeting.

The Head of Corporate Services gave a detailed overview of Public Procurement legislation, objectives, centralised contracts and obligations relevant to KWETB as a state funded body.

The Board put forward some questions in relation to the national threshold and the procurement policy and its origin and development history. The Head of Corporate Services confirmed it is a sectoral policy developed through the Procurement network of ETBI and provided further clarifications into the process of tendering competitions. The Board were informed the Audit and Risk Committee would receive a more detailed account on Procurement and the recent Procurement Compliance Audit and would be submitting a report to the Board following this.

The limitations on schools due to not being allowed to have their own bank account as it comes through the ETB bank account was expressed, and the Head of Corporate Services agreed this could be a strain but as a state body we have a duty of care for oversight as it is public money.

A query was raised by a Board member in relation to the proposed framework for bus hire which is due to be put in place in KWETB, in terms of the value for money this will bring for KWETB schools. The Head of Corporate Services advised that there is sectoral evidence that there have been some reductions in costs for these services as a result of frameworks being put in place for same in other ETB's.

A query in relation to the treatment of PA funds was raised, the CE confirmed that clarification is awaited from ETBI and C&AG regarding this and it is envisioned to regularise the PA remit.

The Director of OSD thanked the Head of Corporate Services for her presentation and assured the Board that procurement within the organisation is driven by dedicated resources to ensure compliance. The CE voiced recognition to the Director of OSD and his team for progressing procurement within the organisation to the high standard it has reached.

Minute ETB 05-06-2020

No. 5 Chief Executive's Business

5.1 Legal Advice

The Board were reminded that legal advice is privileged and should be treated in the highest confidence.

The legal precis and advices provided to the Boards of ETBs by the Legal Services Support Unit in ETBI to provide clarity regarding reserved and executive, particularly regarding policies, was presented to the Board by the Chief Executive. She advised the members that the advices should be read in conjunction with relevant legislation in particular the ETB Act. A brief discussion followed in which assurances were provided by the CE to the members in relation to the open and transparent way in which the Board would continue to function.

It was clarified that the role of the patron falls within the powers of the executive however the CE advised that further legal advice was being sought by ETBI in relation to this issue and any updates would be brought back to the Board in due course.

The Chief Executive advised members that the new BOM training manual for ETBs developed by ETBI would take account of any of the relevant changes arising from the legislation.

The CE concluded the item of CE Business by commending all staff on the successful completion of continued services, QQI qualifications achieved, Leaving Certificate and Junior Certificate programmes accomplished and proposed a vote of thanks and appreciation to work committed by all teaching staff, school staff, FET staff, IT staff and support staff. The Board supported this vote inclusive of our students, and offered reserved recognition for all.

No. 6 Matters for approval, noting or adoption

6.1 Adoption:

- a. Annual Report 2019 & Chairperson's report to the Minister

Proposed by: Cllr. Kevin Duffy

Seconded by: Mr. Noel Merrick

And Agreed.

6.2 Approval:

- a. Appointments to Schools Board of Management

Appointment of Coláiste Lorcáin Parent nominee, Mr. Paul Slattery.

Proposed by: Mr. Stephen Horan

Seconded by: Cllr. Kevin Duffy

And Agreed.

- b. Appointments to Music Generation Kildare

The Board put forward the below three members to join the Committee of Music Generation Kildare:

1. Ms. Deirdre O'Donovan
2. Cllr. Kevin Duffy
3. Cllr. Peter Hamilton

Proposed by: Mr. Stephen Horan

Seconded by: Cllr. Daragh Fitzpatrick

And Agreed

- c. Appointments to Music Generation Wicklow

The Board put forward the below three members to join the Committee of Music Generation Wicklow:

1. Ms. Alice O'Donnell
2. Cllr. Tom Fortune
3. Mr. David O'Gorman

Proposed by: Cllr. Daragh Fitzpatrick

Seconded by: Ms. Deirdre O'Donovan

And Agreed

6.3 For Noting:

- a. KWETB Audit and Risk Committee report

Noted by the Board

- b. KWETB Finance Committee report

Mr Noel Merrick, Chairperson of the Finance Committee gave an overview of the report provided. Noted by the Board

c. Hospitality and Gifts Policy

The Chair expressed thanks to the Board on their input and suggestions on this policy at the previous meeting. Noted by the Board

d. OSD Strategy Statement – Final Report

Noted by the Board

e. KWETB Boards of Management Minutes

It was noted they are not fully complete but we are making progress on providing these. The Director of Schools also stated following the legal advice received, there may be some changes to this process regarding the role of the Board in relation to the Schools Board of Management minutes.

Noted by the Board

f. KWETB Boards of Management Policies

Discussion above also included reference to the Policies.

Noted by the Board

g. DES Circular Letters

Noted by the Board

h. Terms of Reference Schools Board of Management

Within item 5.1 Legal Advice, the CE stated the act of the Board adopting Terms of Reference of Schools Board of Management's will change slightly. Although further clarity will be provided on this once the Terms of Reference are revised next September.

Noted by the Board

Minute ETB 07-06-2020

No. 7 Corporate Governance Programme Final Report

During item 6.3 d OSD Strategy Statement – Final Report, the Board commended the Director of OSD and co. on the workload and obstacles overcome to complete this programme. The Director of OSD clarified they were referring to the Corporate Governance Programme.

The Steering group had been presented with the final programme of work and recommended it as complete.

A question was raised in relation to sourcing an external reviewer to appraise the programme. The CE confirmed the Department of Education and Skills (DoES) are engaging with senior management on this and it is envisioned, but not confirmed, that the original reviewer Dr. Richard Thorn may return to assess the final programme and how it has been embedded across the organisation.

Noted by the Board

Minute ETB 08-06-2020

No. 8 Risk Management

The Director of OSD gave an update on the task force in place to assess the feasibility in returning to the office and checklists and actions around Covid-19 risk management.

The Board questioned the financial burden of the pandemic and whether there is or will be any additional funding available to KWETB. The Director of OSD confirmed the Finance Team created a new financial code to track all spend relating to Covid-19 circumstances. This will assist in engaging with the DoES regarding funding. The CE assured the Board we are currently accounting for the costs, and the DoES has indicated there may be excess costs covered. Regarding FET, senior management are engaging with DoES but currently the costs are coming out of existing budget.

A question was raised whether any KWETB DEIS schools received funded laptops as was provided by the DoES, or other supports to disadvantaged students. The Director of Schools responded that there were many obstacles relating to the laptop provision, including the fact that approximately 40% of our students would report broadband issues. The Director of Schools informed the Board of the School Meals programme which continued during this time to provide students in need across our 9 DEIS schools and commended the work from staff to ensure this continued even outside of school setting.

The Board queried whether there was a fund available to staff in cases where technology and equipment were purchased to perform their duties from home. The need to support staff was expressed and the Board questioned could the DoES be approached regarding such a fund. The CE and the Director of OSD explained there was no fund available as of yet, and any suggestion of this to the DoES has been rejected thus far. The CE mentioned all citizens working from home could avail of a tax free fund from Revenue. The Board suggested it might be useful to inform staff of such service they could avail of from Revenue.

The CE noted concerns and suggestions from the Board regarding same.

Minute ETB 09-06-2020

No. 9 Buildings Report

The Chair opened the floor to questions on the Buildings report provided.

Following a query, it was confirmed KWETB own the building of Gael Coláiste Chill Dara and are supporting buildings works here.

The Maynooth Education Campus project status was queried. The Director of Schools informed the Board due to the pandemic, we are now planning on contingency for the full first school term.

Matters of roofing and computers relating to BIFE were raised and the Director of OSD confirmed he has been in contact with the Principal and will follow up on computers issue. BIFE toilet refurbishments project queried and confirmed by Head of Corporate Services that this is currently out to tender.

There was some discussion regarding the Coláiste Craobh Abhann extensions planned and mention of hearing different accounts regarding the timeline of this project. The CE confirmed there has been no change to circumstances communicated to KWETB.

It was confirmed the Greystones Community College is still on track for September opening, delays are not anticipated, and it is within the DoES priority list.

No update on 'the hub' in Athy.

Minute ETB 10-06-2020
No. 10 Finance Report

This was available to the Board with the agenda. No questions were raised.

Minute ETB 11-06-2020
No. 12 Correspondence for the Board

A notice of resignation of the General Secretary of ETBI, Ms. Ness White was provided to the Board. The Chair recognised the contribution of Ms. White as General Secretary and extended well wishes in her new role with Solas. The Chair requested a letter to go from the KWETB Board to Ms White expressing above.

Minute ETB 12-06-2020
No. 13 Members Business

Previous emails sent between the Board were raised as the questions within have not been resolved. The issues were read out and discussed.

A member raised the issue of a delay in members receiving documentation for previous meetings of the Board, the issue of in camera minutes and a motion re complaint to the law society. Assurances were provided to members in relation to the timeliness of providing supporting documents in advance of meetings. The CE had clarified the procedure vis a vis in camera minutes.

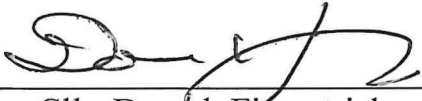
A discussion took place on the motion RE the complaint to the Law Society. It was noted that the legal firm Philip Lee had provided clarification that there was no Section 68 letter required due to being on the framework and the Law Society had advised the Chairperson that complaints of this nature should be routed to the Legal Services Regulatory Authority. It is now a Board decision as to how they wish to proceed in relation to this matter. However, it was agreed to defer as an item to the next meeting due to the lack of a quorum.

Minute ETB 13-06-2020

NO. 11 Date of next meeting

It was agreed to stick with the scheduled date 15th September as set on the annual schedule of meetings. It is hoped the meeting could be held in person, and will know closer to the time.

The meeting concluded at 1pm.

Signed:  Date: 23/10/2020
Cllr. Daragh Fitzpatrick

(Chairperson)