



etb

Bord Oideachais agus Oiliúna
Chill Dara agus Chill Mhantáin
Kildare and Wicklow
Education and Training Board

A Meeting of Kildare & Wicklow Education & Training Board was held in Council Chamber, Aras Chill Dara, Devoy Park, Naas, Co Kildare, on Tuesday 15th January 2019, Commencing at 10.30 a.m.

Present: Mr Noel Merrick Chairperson, Cllr Brendan Weld, Cllr Jim Ruttle
Cllr. Rèada Cronin, Cllr. Fiona McLoughlin-Healy, Cllr. Teresa Murray,
Cllr. Tommy Annesley, Mr John McDonagh, Ms Finula Haran, Cllr
Jennifer Whitmore, Cllr Aoife Breslin, Cllr Edward Timmins, Dr
Elizabeth O’Gorman, Ms Deirdre Coghlan Murray.

In attendance: Dr Deirdre Keyes
Dr Rory O’Toole
Mr Joe Kelly
Ms Caitriona Murphy
Ms Eileen Cullen
Ms M. Dillon
Ms Catherine Doran
Ms Rose Murray
Ms Mary Kemmy

Apologies: Cllr Nicola Lawless
Cllr Daragh Fitzpatrick
Ms Lorraine Hennessy
Mr John Hurley

AGENDA

1. Chairpersons Welcome
2. Votes of Sympathy –
3. Conflict of Interest
4. Minutes
5. Chairpersons Issues
 - (i) Ministerial Direction on BIFE
 - (ii) Date of next Board meeting
6. Matters Arising
 - (i) Review of Standing Orders
7. Chief Executive
8. Reports to the Board
 - a. Further Education & Training (FET)
FET Report

- b. Schools Division –
 - DOS Report**
 - List of Board of Management minutes**
 - (i) **List of BOM minutes (deferred from November meeting)**
 - (ii) **List of BOM minutes for January 2019 meeting.**
- c. OSD –
 - (i) Finance
 - Finance Committee Chairperson’s Report No 15 – December 2018**
 - (ii) H.R. / I.R
 - (iii) Buildings / Corporate Services
- 9. Risk Management
- 10. Correspondence
 - (i) Department Circular Letters for Adoption
 - Department Circular letters – deferred from November meeting uploaded on minutepad**
 - Department Circular letters for adoption – January meeting uploaded on minutepad.**
 - Circular Letter 2019-01/001 re Further Education Capitation Rates (for noting)**
 - (ii) Other Correspondence and Updates
 - DES letter regarding replacement and expansion of existing Curragh post Primary school with a new 1000 pupil school building**
- 11. Motions for Approval
- 12. Policies for Adoption
 - (i) School Division Policies
 - Colaiste Lorcaín Castledermot – CCTV Systems Policy- *Deferred from November meeting***
 - Colaiste Lorcaín Castledermot – Risk Assessment - *Deferred from November meeting***
 - Colaiste Lorcaín Castledermot – Student Code of Behaviour – *Deferred from November meeting***
 - Colaiste Bhríde Carnew – Policy for School Tours and Field Trips**
 - Colaiste Chraobh Abhann – Policy on Transgender Students**
 - Colaiste Lorcaín Castledermot – Mobile Phone Policy**
 - Colaiste Lorcaín Castledermot – Critical Incident Policy**
 - Colaiste Lorcaín Castledermot – School Guidance Plan**
 - Ardcoil Rath Iomghain – Child Safeguarding Statement**
 - Ardcoil Rath Iomghain – Code of Behaviour**
 - Maynooth community College – Child Safeguarding Statement**
 - BIFE – Child Safeguarding Statement**
 - Naas Community College – Child Protection Policy**
 - Athy Community College – Child Protection Policy**
 - St Farnan’s Prosperous – Child Safeguarding Statement**

Colaiste Chill Mhantain – Child Safeguarding Statement
Curragh Post Primary School – Child Safeguarding Statement
Greystones Community National School – Child Safeguarding Statement
Brannoxtown Community National School – Child Safeguarding Statement
Naas Community National School – Child Safeguarding Statement

- (ii) H.R. Policies
- (iii) Corporate Services Policies
- (iv) Finance Policies
- (v) F.E.T. Policies
- (vi) KWETB Policies

Corporate Body Child Safeguarding Statement – For Noting

13. Establishment of Committees & Nominations to Boards of Management
Nominations to the Youth Work Committee - Comhairlí nominations (Deferred from November meeting)
Nominated from Kildare Comhairle - Clodagh O' Leary & Dylan Hayes
Nominated Wicklow Comhairle - Tristan McCall & Jade O'Hagan
14. Matters deferred from previous meetings
 - **Replacement for Mr Joe Behan on board of management of St Killians Community School, Bray**
 - **In Committee meeting to adopt minutes of earlier meetings held in committee**
15. Members review of Code of Practice
16. (i) Resolution regarding 2017 Legal Advice
(ii) Recoverability of Legal Advice Bill
17. A.O.B.

Minute No. ETB-01-01-19

No. 1 Agenda Chairpersons Welcome
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The Chair delayed the start of the meeting to 10.45am. The lack of car parking spaces caused some members to be late.

The Chair welcomed all to the meeting. He welcomed the people in the public gallery from BIFE and from the media. He advised the meeting would finish at 1.00pm as members were to attend a second workshop / meeting on Board evaluation facilitated by IPA to start at 1.30pm

Minute No. ETB-02-01-19

No. 2 Agenda Votes of Sympathy

Ms Patricia O'Brien, Principal St Conleth's Community College, on the recent death of her Father, Mr Joseph O'Brien, RIP

Minute No. ETB-03-01-19

No. 3 Agenda Conflict of Interest
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None

Minute No. ETB-04-01-19

No. 4 Agenda Minutes

With regard to the Minutes of KWETB meeting of 13th November, 2018 and Minutes of KWETB meeting of 27th November, 2018, the Chair advised he had received amendments at 9.19am that morning. He expressed his concern about verbatim reporting, and stated that he thought the amendments were out of order. The Chair said he would be advised by the members as to whether to take the minutes at this stage.

The Chair proposed we take the minutes of both meetings.

Cllr Fiona McLoughlin Healy stated that the amendments were not out of order - they were late because the minutes had been circulated late by the executive. Following discussion around the late receipt of minutes by members and the fact that they did not have time to read the amendments, it was proposed by Mr Edward Timmins that both sets of minutes be deferred to the March meeting.
Proposed by E Timmins , seconded and agreed by the members.

No. 5 Agenda Chairpersons Issues

(i) Ministerial Direction on BIFE

The Chair read from a letter received from Minister regarding Master Plan (Technical Study) for BIFE site.

Discussion around the Minister's letter for Master Plan / Technical Study to which KWETB had 14 days to respond took place.

The Chair had contacted the Minister's office and received an extension to January 16th 2019.

Chair suggested a focused discussion to be followed by a decision.

Members made the following points:

Cllr Teresa Murray stated that the Board had already spent a considerable amount of time on this issue and nothing had changed since their decision. She noted that it was very unusual for the KWETB to have a unanimous decision.

Cllr Réada Cronin stated that the Board had previously asked for DES representatives to be at the Board meeting. She also stated that she had suggested to the Chair that legal advice be sought on the matter.

She noted that there was no mention in the Ministers letter of the motion asking for review into the circumstances regarding the agreement between the DES and former CE.

She questioned if the Minister was aware that the agreement was made between the then CE (referenced Garda Investigation).

She questioned why the previous CE of KWETB might have entered into this agreement, which in her view, did not make sense.

The Chair clarified that he had corresponded with the minister requesting a review but had not received a reply.

Cllr Jennifer Whitmore supported the previous statements. She noted that the decision made was a very difficult one but was made on the information available to the Board.

She expressed concern that the minister was now undermining and casting aside a decision, which in her view, was made in the best interest of the organisation.

She noted that this was the second time the DES has undermined the Board (reference possible suspension of former CE).

Ms Finula Haran concurred with previous statements. She noted that the Board had spent a long time deliberating and felt that the proposed ministerial direction was both disgraceful and disrespectful to the Board. She noted that the whole was also unfair to Educate Together.

Cllr Fiona McLoughlin Healy – Asked why the Board did not receive a copy of the Chairs letter to the Minister seeking a review and requested that copies of all letters sent on behalf of the Board be sent to Board members.

Proposed by Cllr Fiona McLoughlin Healy, seconded by Cllr Jennifer Whitmore and agreed

Cllr Teresa Murray also added that any specific correspondence in relation to BIFE would be copied to the members of the Board.

Cllr Fiona McLoughlin Healy noted that the Decision had been made by the Board. She requested that any legal advice received on the issue should be passed to the Board. She enquired if the Minister is acting *ultra vires*. In her view the DES have not dealt with the Board in a trustworthy manner. She expressed concern that the Board is being pushed into a corner by DES in which they could validly be said to have no option but to step down.

She cautioned the board not to be too reactionary about the issue as there were other important issues also that needed this Board's attention

Cllr Jim Ruttle advised he was present at opening of St Thomas, now BIFE. He noted that this is now one of our flagships and in this context the Board needs to view itself as custodian charged with looking after this institution.

He noted that a Master plan might be a rough shod approach and felt that the Board needed to reaffirm their decision.

Ms Deirdre Coghlan Murray reaffirmed what everybody has said. She stated she is strong in her sense that the correct decision was made.

Mr Edward Timmins noted that all were unanimous in this and asked the CE if she had received legal advice.

The Chief Executive advised that as this was a Board matter she did not seek formal legal advice on behalf of the Board. She advised that she had talked with ETBI to seek guidance on a Ministerial direction of this nature. This is a matter for the board. ETBI had clarified that the 14 days referenced in the Direction is for the Board to document any 'observations', which can essentially include any arguments/reasons why the proposed direction should not be carried out. However, it was ETBI's initial view if after receipt of observations the Minister can nonetheless give the direction under section 53(2) for the ETB to follow the direction and the ETB is statutorily required to comply with the direction.

It was noted that the wording of the Direction was not exactly in line with the wording of the Act.

Dr Elizabeth O'Gorman stated that the fact that the Minister could proceed with the direction is slightly worrying, however, the Board must put forward our observations why we do not agree to the reassignment of lands.

Cllr Teresa Murray noted the importance of the Board understanding the legality of the proposed Ministerial Direction and that perhaps legal advice needed to be sought (referenced Michael Lanigan.)

The Chair also expressed his concerns regarding the legality of the proposed direction. He felt that this question should form part of the Board's representations.

Chief Executive clarified Michael Lanigan is the legal adviser to KWETB in respect of its criminal liability cover through IPB only. She noted that if the Board need legal advice this can be done by resolution of the Board and drawn down through the legal framework.

Cllr Jennifer Whitmore advised she is happy with the approach of raising this issue and seeking clarity through the Board's representations. She suggested that KWETB could make use of ETBI as this could set a precedent for other ETBs i.e. if a Board's decision can be overwritten by a Ministerial Direction.

Cllr Réada Cronin restated she had emailed the Chair as to whether or not the Board would need legal advice for this meeting. The Chair stated he had referred to the Chief Executive who had contacted people in the ETBI. The Chair advised he has no right to draw down legal advice only the Board can.

Cllr Fiona McLoughlin Healy raised questions about the ETB Act. She requested clarity around any barriers to the Executive engaging legal advice and passing on that information to the Board. She questioned at what stage of an issue does the question of procurement of legal advice arise for the executive. She asked why, as the executive had an interest in the issue did they not seek legal advice already and asked for clarity on the legal advices the KWETB have access to.

Ms Mary Dillon outlined the procurement procedure. She explained the OGP framework and with the agreement of the Board the Chair could do a direct drawdown. She agreed to send clarification to the Board of the categories of legal advice already drawn down and to which the executive have access. The Chief Executive then

suggested that legal advice could be drawn down on this issue or that KWETB could get advice from the LSSU of ETBI.

John McDonagh stated that it was important to remember that DES set the rules and provide funding to ETBs. He noted that while a lot of time could be spent on this, it was his view, that the Minister has the power to overrule the Board.

Some further discussion took place re legal advice.

The Chair stated the question to be asked is if the Minister was acting ultra vires by issuing a direction in requiring the Board to get involved in a masterplan

Fiona McLoughlin Healy asked for clarification to be sought re the Boards 'functional area' under 53.2

Proposed by Cllr Fiona McLoughlin Healy, seconded by Cllr Teresa Murray and agreed that the Board seek legal advice from ETBI LSSU Unit on the proposed direction and/or explore accessing legal advice through a the legal framework. She asked for the legal definition of 'assignment' be provided and any significant difference between it and the 'acquisition, holding, disposal' referenced in ETB legislation

Cllr Fiona McLoughlin Healy raised the issue of the cost of legal advice. The CE clarified that the legal advice from ETBI LSSU is free

By way of summary Cllr Jennifer Whitmore stated that it would be important to inform the Minister that this direction is in contravention of the Board's wishes. She raised the issue of the continuing cost to the organisation of rental accommodation for BIFE. She raised the issue re contravention of the Board's code to act in the best interests of our stakeholders as it would prevent the growth of BIFE

Reada Cronin asked that we reiterate that the Board were not involved in the decision re BIFE. She stated while BIFE is renting areas in spaces around Bray when it should be on the BIFE sight undermined the value for money argument

Fiona McLoughlin Healy asked about the rent being paid for Educate Together accommodations

The CE stated that the rental for Putland Road had been re-imbursed in full

Summing up the Chair agreed he would give members the opportunity to comment on his response before forwarding his submission to the Minister.

The Chair thanked everyone for their input.

Date of next Board meeting

The Chair explained the sequencing of meetings required to meet the end of March deadline for submission of the annual accounts for 2018 and requested that the March meeting be held on Tuesday 26th March.

Cllr Fiona McLoughlin Healy requested clarification regarding why a Board meeting was being delayed?

Chair Noel Merrick stated that it was because the accounts would not be ready for scheduled meeting 12th March.

Cllr McLoughlin Healy asked for clarification regarding when the accounts would be ready

Catherine Doran, Finance Officer, explained rational re accounts and advised accounts will be ready around the middle of March.

Catherine explained that the accounts and the internal controls then have to go to the audit committee and report to the finance committee that controls are in order. The finance committee then review the accounts and they are then brought to the Board.

Cllr Jennifer Whitmore enquired as to why complaints procedure was not an agenda item as she had previously requested. The Chair apologised saying it was an error on his part and that it would be taken under Matters Arising.

Minute No. ETB-05-01-19

No. 6 Agenda Matters Arising

Review of Standing Orders

The members were advised the designated committee has not met yet to review the Standing Orders.

Minute No. ETB-06-01-19

No. 7 Agenda Chief Executive

The Chief executive gave an update re audits, that the C&AG audit for 2016 accounts was completed. The IAU procurement audit was ongoing. The ICT audit had come back from IAU . The Youthreach audit was completed some time back but she hadn't received the final report.

The CE referenced the child-safeguarding document operating at school and central level, lower down the agenda. She noted the discussion at the March meeting about policies, complaints and procedures and stated this is how they are dealt with and the oversight

CE stated there had been no further correspondence since December with the Dept regarding the announcement of a new school for Curragh Post Primary

The Chief Executive reported that no applications had been received for Chair of Audit Committee from the first advertisement. Under guidelines CE can source individuals but needs permission of the Board. She requested in the event of no applications being received in the second advertisement that she can be mandated to source suitable individuals for Chair of Audit Committee

This was agreed by the Board

Cllr Fiona McLoughlin Healy asked where the Chair of Audit role was being advertised and asked that it be advertised on LinkedIn as it might prove a better target than a local paper

The members raised the issue of the minutes and the procurement of a stenographer. The Chief Executive advised she had worked with the team herself on the minutes. She advised the estimate cost of a stenographer would be over €1000 per day.

The Chair stated not one of the ETBs he met at the ETBI reserve forum had a stenographer.

Cllr Fiona McLoughlin Healy asked if any of the other ETB's were under investigation. She reminded the Chair of the assurance given to the Board at the last meeting that the briefing given to the Stenographer would be given to the Board, that the stenographers information would be available publicly.

Cllr Jennifer Whitmore – requested the Board go ahead with the procurement of a stenographer which the Board had been calling for, for a year. The decision had already been made. The Board are in extraordinary circumstances and it is important that a Stenographer is procured.

It was proposed, seconded and agreed by the Board that a Stenographer be procured for the remaining meetings of this Board

The Chief Executive addressed the DES letter regarding replacement and expansion of existing Curragh Post Primary school.

Cllr Jim Ruttle expressed his delight at the very good news for the Curragh Post Primary school.

The Chief Executive stated a site has not yet been identified. It will be a new build and part of the discussion is around the accessibility on the new site to current students.

Minute No. ETB-07-01-19

No. 8 Agenda Reports to the Board

1. Further Education and Training

FET Report

Caitriona Murphy, Director of Further Education brought the members through the FET report.

She advised circular letter 2019-01-001 re Youthreach, VTOS and PLC capitation rates will be forwarded to members for discussion at the March meeting.

It was agreed that KWETB Youth Officer will attend the March meeting give a short presentation.

Cllr Jim Ruttle thanked Caitriona for a very good report and asked regarding physical facilities for apprenticeships.

Cllr Fiona McLoughlin Healy – enquired about Youthreach internal audit and was advised it is not yet complete.

Chief Executive advised she had received verbal feedback only.

Cllr McLoughlin Healy asked if there was any risk related items Catriona needed to report as buildings had been an issue before.

Catriona Murphy stated any risk items would be on the Buildings report.

The Chair stated risk was item 9 on the agenda.

Cllr Fiona McLoughlin Healy asked if we would get to that item as the Board had not received a Risk report since last March when the Board agreed it would be reported

Cllr Jennifer Whitmore requested the suspension of Standing Orders to address a complaint she had asked be on the agenda.

The Chair apologised for not having the complaint listed on the agenda and asked if it could be discussed at the next meeting. He stated it might be difficult for the CE to put something in front of her that she had not been asked to prepare for and was not sure if it was fair.

Proposed by Cllr Jennifer Whitmore, seconded by Cllr Fiona McLoughlin Healy and agreed to suspend Standing Orders to discuss a complaint.

A vote was taken – 9 in favour of suspension of Standing orders.

The Chair asked that the CE discuss complaints procedures in general.

The CE outlined the various prescribed procedures that were used for complaints, grievances etc. She noted that these were all nationally agreed procedures for the ETB Sector agreed in consultation with the various relevant parties and in line with statutory instruments, in particular those related to due process and fair procedures.

She highlighted the complexity of many of the complaints and issues that arise and that sometimes more than one procedure may have to be followed. She noted that most procedures have an internal appeal mechanism as well as external. However, not all complaints can be resolved to the satisfaction of all parties

She noted that there is no role for Board members in dealing with complaints other than those relevant to BOMs (student behaviour/Section 29). She noted also that GDPR is now a big factor in dealing with complaints.

The CE outlined different complaint procedures and stated that our procedures were quite robust. She stated there were very clear procedures and stages and appeals mechanisms set out in each of our complaints procedures

Cllr Jennifer Whitmore spoke of a particular complaint which was raised with the current Board which originated in 2013. The person involved feels that the complaint was not addressed. She referred to a second complaint raised in 2017 which she felt was also not addressed. She asked if the CE was aware of the particular complaint and looked for reassurances that the complaint had been dealt with properly and in accordance with proper timelines

Chief Executive stated that while she was aware of these particular complaints that she is precluded from comment on any particular complaint.

The Chair stated the big issue was are procedures followed by the KWETB and to have that assurance

The CE stated many things were being dealt with by the different procedures and sometimes people were satisfied and sometimes not. She stated the Board have no role in involving themselves in complaints, or in representing persons and in forming views and opinions. She stated they do have a role if they sit on Boards of schools.

The CE stated she was very confident in the way in which complaints were being dealt with currently and that the SMT have oversight of all of the issues and complaints and where they are at.

Cllr Jennifer Whitmore advised as a board they needed to feel reassured about the handling of complaints. She suggested that a register of complaints might be kept. She emphasised the Boards role re oversight and Governance.

Cllr Fiona McLoughlin Healy advised that she is familiar with complaint that Cllr Whitmore referred to. As an oversight body the Board are entitled to ask whether our own policies and procedures are followed / adhered to in relation to a particular complaint.

The Chair stated he did not think the Board were entitled to ask around a particular complaint.

Cllr Fiona McLoughlin Healy stated it was not about looking at the substance of a particular complaint. She asked the Chair to allow her to continue her point that if somebody brought their dissatisfaction with how a complaint was dealt with by the Board, to the Board, then the Board were entitled to ask not about the substance of the complaint but whether our own policies and procedures were adhered to in relation to the specific complaint.

She pleaded with the Chair to be allowed to continue as how we deal with complaints as a Board related to risk. Cllr Fiona McLoughlin Healy stated the example that there had been complaints about her. She said she had asked for and been denied information as to the complaints procedure to be followed in relation to them.

The Chair stated Cllr Fiona McLoughlin Healy was going down a different road altogether and that he was watching the clock. He stated he was not allowing further discussion

Cllr Fiona McLoughlin Healy stated that people had brought a number of complaints and a protected disclosure to her. She stated that while the Chair and CE have informed her that she has no role or function in relation to them that she fully accepts that but that complaints have been brought to her by people who do not feel safe bringing it to their line manager or to others in the organisation. She stated the Chair

and CE were dumping or leaving complaints with her and refusing to accept handover of the complaints.

Cllr McLoughlin Healy stated the former CE had responded to a minor in the complaint referenced with a solicitor's letter and asked how that adhered to our the Board's procedures. She stated the Chair and the CE were aware of this fact.

The Chair repeated Cllr Fiona McLoughlin Healy had no role and that the Chair has no role in dealing with Protected Disclosures.

Cllr Fiona McLoughlin Healy stated that under section 4.7 of the code the Chair had a role if there was evidence we were not compliant. The Chair stated he did not have a role.

Cllr Whitmore asked the Chief Executive if she was satisfied if all complaints that had originated in 2013 had been dealt with. The ce stated that she would not be in a position to comment on all complaints. In terms of complaints that she was aware of the CE was satisfied with the manner in which they were being dealt with by the senior management team

Chief Executive advises compliance has been pointed out. KWETB have to be compliant with the procedures and she is confident the Senior Management Team are overseeing complaints. She stated there was no procedure for the chief executive to review any complaint.

2. Schools Division

DOS Report

Rory O'Toole, Director of Schools, brought the members through the DOS report highlighting the following points:

The replacement and expansion of existing Curragh post Primary school. Students from Brannoxtown Community National School one of 41 national schools who participated in the Young Scientist Competition. Their participation was noted and acknowledged.

Community National School Campaign closed on Monday 14th January and we are currently waiting on the outcome.

Young Scientist Competition – various KWETB schools participated in the Young Scientist Competition. Their participation was noted and acknowledged.

(i) List of Board of Management Minutes (November) Uploaded on minutepad - Deferred from November meeting

(ii) List of Board of Management Minutes (January 2019) Uploaded on minutepad.

Board of Management minutes – Noted and agreed by the Board

3. OSD

Joe Kelly, Director of OSD, brought the members through the OSD report, highlighting the following:

The ICT audit will go to the Audit Committee. The appointment of a pensions and contracts managers will fill some of the gaps and mitigate against risks in the HR area. OSD Strategy progressing well, we have a lot done and still a lot to do
Launching intranet – It is a real enabler for employee Platform for communications and to make sure they are more informed. It is a great opportunity to communicate with employees.

(i) Finance

• *Finance Committee Chairperson's Report No 15 – December 2018 –*
Ms Catherine Doran brought the members through the finance report.

A discussion on leases took place. Members were informed that leases were reviewed at a finance meeting and a further review is to be carried out at the January 2019 finance meeting

(ii) H.R. / I.R.

(iii) Buildings and Corporate Services –

Ms Mary Dillon, Corporate Services Manager spoke on the following:
Ethics and Public Office forms were forwarded by email. Copies were available at the meeting for members.

Maynooth Campus was proceeding well. The envelope is due for completion by the end of April. The tender for Contractor (10 on prequel list) due to take place at the end of January. The contractor is due on site in May. The School to be ready for occupation in September 2020.

The DES have turned down the application for additional temporary accommodation at Maynooth. We are currently in discussions with the school and the DES to look at a way forward.

New school extensions – Tenders currently being assessed for Design Team for Gael Coláiste and Gael Scoil, Kilbride Campus, Arklow. Tenders are up on etenders for Athy College. Tenders are currently being prepared for Prosperous with Blessington to follow.

Cllr Teresa Murray sought clarification regarding the new Primary school on Maynooth Campus and where it will be located.
Mary Dillon advised it would be located on the site of the current builders car park.

Ms Finula Haran wished to congratulate all involved in the Maynooth Campus building project. She advised she drives by the site every day and it is great to see the building progressing.
Mary Dillon agreed and gave credit to the ER and the DES who worked with the Bondsman to achieve this result.

Cllr Fiona McLoughlin Healy enquired if the meeting had addressed schools board of management minutes.

Rory O'Toole, Director of schools advised all board of management minutes are forwarded to him and then the list is uploaded for meeting on minutepad.

Cllr Fiona McLoughlin Healy stated she was advised no board of management minutes will be forwarded to board of management members prior to meetings

A discussion took place around board of management minutes and GDPR.

Rory O'Toole stated a decision was made regarding board of management minutes and the safety issues regarding forwarding same to private emails. All need to be aware of GDPR issues. KWETB may need to use minutepad or intranet or send link to the material.

Cllr Fiona McLoughlin Healy stated her concerns that there was no deadline for correcting the situation that school board of management members cannot receive documentation in advance of meetings. She asked that this be rectified asap.

Cllr Fiona McLoughlin Healy asked for an audit of the appointments system to safeguard against complaints of bias and to reassure that KWETB appointments system is robust and questioned why the HR manager did not attend the KWETB meeting.

Director of OSD Joe Kelly responded that people who are heads of their areas report to him as part of the OSD team and he is at the meeting representing OSD. He advised if there is something in particular that requires the HR manager to attend the next meeting she will do so.

Cllr Fiona McLoughlin Healy requested the HR manager attend the next KWETB meeting.

Director of OSD, Joe Kelly advised he is fully confident the recruitment process is best practice.

Cllr Fiona McLoughlin Healy spoke of the cherry picking of the board members to sit on interview panels, of individual people getting a call or email. She requested that visibility is given to all board members as to what interviews are coming up. All members have same entitlement to chair interview panels.

Noel Merrick thanked all members who sit on interview panels.

Finula Haran addressed the meeting advising she had been invited on many occasions to sit on interview panels. She has always acted honestly and with integrity and never had conflict of interest. She advised HR was part of her degree.

She stated she takes umbrage to previous comments made and confirmed she has taken a step back from sitting on interview panels because of allegations made.

Cllr Teresa Murray enquired why there are board of management minutes from 2015 and 2016 on today's report.

Rory O'Toole advised sometimes Principals forget to send in minutes. KWETB are currently working on a more robust system.

No. 9 Agenda
Risk Management

Minute No. ETB-09-01-19

No. 10 Agenda
Correspondence

(i) *Department Circular Letters for Adoption*

Deferred from November meeting

**Department Circular Letters for Adoption – Deferred from November meeting
cl 0065/2018: Acting-up arrangements and acting-up allowances for all staff other than
persons employed as teachers and special needs assistants in education and training
boards**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0065_2018.pdf

**CL 0060/2018: Breastfeeding breaks for registered teachers in recognised primary and
post primary schools**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0060_2018.pdf

**CL 0059/2018: HEA revised rates of pay with effect from 1 october 2018 (Lecturer
grade is the only grade applicable to KWETB)**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0059_2018.pdf

**CL 0057/2018: Revision of salaries of all staff paid directly by a recognised school or
ETB with effect from 1 October 2018**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0057_2018.pdf

**CL 0056/2018 : Revision of salaries in respect of all staff other than teachers and snas
employed by ETB's with effect from 1 October 2018**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0056_2018.pdf

**CL 0053/2018: Revision of salaries for special needs assistants (SNA's with effect from 1
October 2018**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0053_2018.pdf

CL 0051/2018: Revision of teacher salaries with effect from 1 October 2018

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0051_2018.pdf

**CL 0050/2018: Procedures for suspension and dismissal of Principals of Community
National Schools**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0050_2018.pdf

**CL 0048/2018: Revised procedures for suspension and dismissal of teachers and
Principals**

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0048_2018.pdf

Department Circular Letters for Adoption – for January meeting

CL0060/2018: Breastfeeding Breaks for Registered Teachers in Recognised Primary and Post Primary Schools

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0060_2018.pdf

CL0065/2018: Acting-Up Arrangements and Acting-Up Allowances for All Staff Other Than Persons Employed As Teachers and Special Needs Assistants in Education And Training Boards

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0065_2018.pdf

CL0067/2018: Consolidation of arrangements for the offer of severance terms in the Civil and Public service in ETBs

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0067_2018.pdf

CL0070/2018: Leadership and Management in Primary Schools

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0070_2018.pdf

CL0071/2018: Revision of Salaries for Special Needs Assistants (SNAs) with effect from 1 January 2019

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0071_2018.pdf

CL 0074/2018: Revision of Salaries in Respect of All Staff Other Than Teachers and SNAs Employed by ETBs with effect from 1 January 2019

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0074_2018.pdf

CL0075/2018: Revision of Salaries of all staff paid directly by a recognised school or ETB with effect from 1 January 2019

https://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0075_2018.pdf

Deferred to March meeting

(ii) Other Correspondence & Updates

DES letter regarding replacement and expansion of existing Curragh Post Primary school with a new 1000 pupil school building.

Noted

(iii) ETBI Correspondence & Matters / Department & Agencies

Minute No. ETB-10-01-19

No. 11 Agenda Motions for Approval

Minute No. ETB-11-01-19

No. 12 Agenda Policies for Adoption
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(i) School Division Policies

Colaiste Lorcaín Castledermot – CCTV Systems Policy- *Deferred from November meeting*

Colaiste Lorcaín Castledermot – Risk Assessment - *Deferred from November meeting*

Colaiste Lorcaín Castledermot – Student Code of Behaviour – *Deferred from November meeting*

Colaiste Bhríde Carnew – Policy for School Tours and Field Trips

Colaiste Chraobh Abhann – Policy on Transgender Students

Colaiste Lorcaín Castledermot – Mobile Phone Policy

Colaiste Lorcaín Castledermot – Critical Incident Policy

Colaiste Lorcaín Castledermot – School Guidance Plan

Ardcoil Rath Iomghain – Child Safeguarding Statement

Ardcoil Rath Iomghain – Code of Behaviour

Maynooth community College – Child Safeguarding Statement

BIFE – Child Safeguarding Statement

Naas Community College – Child Protection Policy

Athy Community College – Child Protection Policy

St Farnan’s Prosperous – Child Safeguarding Statement

Colaiste Chill Mhantain – Child Safeguarding Statement

Curragh Post Primary School – Child Safeguarding Statement

Greystones Community National School – Child Safeguarding Statement

Brannoxtown Community National School – Child Safeguarding Statement

Naas Community National School – Child Safeguarding Statement

Deferred to March meeting

(ii) H.R. Policies

(iii) Corporate Services Policies

(iv) Finance Policies

(v) F.E.T. Policies

(vi) **KWETB Policies - Corporate Body Child Safeguarding Statement**

Noted

Minute No. ETB-12-01-19

No. 13 Agenda

Establishment of Committees & Nominations to Boards of Management

- 1. Nominations to the Youth Work Committee - Comhairlí nominations
Nominated from Kildare Comhairle - Clodagh O' Leary & Dylan Hayes
Nominated Wicklow Comhairle - Tristan McCall & Jade O'Hagan**

Deferred to March meeting

Minute No. ETB-13-01-19

No. 14 Agenda

Matters Deferred from Previous meetings

- **Replacement for Mr Joe Behan on board of management of St Killians Community School, Bray**
- **In Committee meeting to adopt minutes of earlier meetings held in committee**

Deferred to March meeting

Minute No. ETB-14-01-19

No. 15 Agenda

Members Review of Code of Practice

Minute No. ETB-15-01-19

No. 16 Agenda

- (i) **Resolution regarding 2017 Legal Advice**
- (ii) **Recoverability of Legal Advice Bill**

Minute No. ETB-16-01-19

No. 17 Agenda

AOB

Vote of Sympathy was taken with all members standing

Signed: *Malag Meiri* Date: *14/6/2019*
(Chairperson)

NEXT MEETING

DATE: Tuesday 26th March, 2019

VENUE: Council Chamber, Wicklow County Council

TIME: 10.30am