



*Parke N.S.  
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Castlebar  
Co. Mayo  
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## Complaints Policy

The Board of Management of Parke N.S. has adopted the INTO/CPSMA Complaints Procedure which provides a mechanism for dealing fairly with parental complaints against a teacher/school.

In February a new complaints procedure policy has been developed that will be effective immediately. This policy review aims to amend the policy that is in place to reflect the new guidelines on complaints.

The Irish National Teachers' Organisation (INTO) has engaged extensively with the primary management bodies on revising the existing nationally agreed parental complaints procedure. The parties to this agreement are the Catholic Primary Schools Management Association (CPSMA), the General Synod Board of Education of the Church of Ireland, Educate Together, An Fóras Pátrúnachta, Muslim Primary Education Board, and the National Association of Boards of Management in Special Education (NAMBSE).

The revised parental complaints procedure agreed by the INTO and the management bodies of primary schools above is designed to provide an open and clearly defined process to facilitate parents/legal guardians in raising concerns about their own child/children in an agreed, fair and transparent manner, with a view to seeking an early resolution of the issue.

The purpose of the revised procedure is for parents and legal guardians to engage constructively with schools where a concern arises and to have it addressed at local level in an efficient manner, in the best interests of all parties.

### Introduction

The INTO and Primary School Management reached agreement in 1993 on a procedure for dealing with complaints by parents against teachers. The purpose of this procedure is to facilitate the resolution of difficulties where they may arise in an agreed and fair manner. The agreement lays out in five stages the process to be followed in progressing a complaint and the specific timescale to be followed at each stage. Please note this is a non-statutory procedure.

Only those complaints about teachers which are written and signed by parents/guardians of pupils may be investigated formally by the board of management, except where those complaints are deemed by the board to be:

on matters of professional competence and which are to be referred to the Department of Education and Skills;  
frivolous or vexatious complaints and complaints which do not impinge on the work of a teacher in a school; or  
complaints in which either party has recourse to law or to another existing procedure.  
Unwritten complaints, not in the above categories, may be processed informally as set out in Stage 1 of this procedure.

### **Stage 1**

A parent/guardian who wishes to make a complaint should, unless there are local arrangements to the contrary, approach the class teacher with a view to resolving the complaint. Where the parent/guardian is unable to resolve the complaint with the class teacher s/he should approach the principal with a view to resolving it. If the complaint is still unresolved the parent/guardian should raise the matter with the chairperson of the board of management with a view to resolving it.

### **Stage 2**

If the complaint is still unresolved and the parent/guardian wishes to pursue the matter further s/he should lodge the complaint in writing with the chairperson of the board of management. The chairperson should bring the precise nature of the written complaint to the notice of the teacher and seek to resolve the matter between the parties within five days of receipt of the written complaint.

### **Stage 3**

If the complaint is not resolved informally, the chairperson should, subject to the general authorisation of the board and except in those cases where the chairperson deems the particular authorisation of the board to be required:

- supply the teacher with a copy of the written complaint; and
- arrange a meeting with the teacher and, where applicable, the principal teacher with a view to resolving the complaint. Such a meeting should take place within 10 days of receipt of the written complaint.

### **Stage 4**

If the complaint is still not resolved the chairperson should make a formal report to the board within 10 days of the meeting referred to in 3(b). If the board considers that the complaint is not substantiated the teacher and the complainant should be so informed within three days of the board meeting. If the board considers that the complaint is substantiated or that it warrants further investigation it proceeds as follows:

- the teacher should be informed that the investigation is proceeding to the next stage;
- the teacher should be supplied with a copy of any written evidence in support of the complaint;
- the teacher should be requested to supply a written statement to the board in response to the complaint;
- the teacher should be afforded an opportunity to make a presentation of case to the board. The teacher would be entitled to be accompanied and assisted by a friend at any such meeting; the board may arrange a meeting with the complainant if it considers such to be required. The complainant would be entitled to be accompanied and

assisted by a friend at any such meeting; and the meeting of the board of management referred to in (d) and (e) will take place within 10 days of the meeting referred to in 3(b).

**Stage 5**

When the board has completed its investigation, the chairperson should convey the decision of the board in writing to the teacher and the complainant within five days of the meeting of the board. The decision of the board shall be final.

The Complaints Procedure shall be reviewed after three years. Primary School Management or INTO may withdraw from this agreement having given the other party three months' notice of intention to do so.

In this agreement 'days' means school days.

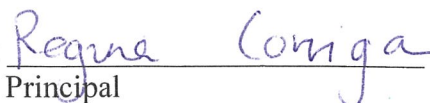
**Note:** The vast majority of complaints are resolved locally and informally. However, in certain circumstances, for example, where a complaint is considered to be serious in nature, or where the teacher is required to submit a written response to his/her board of management, the teacher should contact his/her INTO District Representative or INTO Head Office for advice and assistance. In advising a teacher, the INTO will be anxious to ensure that there is due process and fair procedures applied, which generally include: that the teacher is fully appraised of all matters being considered by the board of management, including being provided with copies of all relevant documentation; the right to respond and adequate time to prepare a response;

entitlement to be represented by the INTO, if necessary. Where a teacher contacts the INTO in relation to a complaint(s) made against him/her, the officials involved will generally meet with the teacher and require him/her to provide detailed written information and documentation on the matter. The officials will assess the case and decide if additional specific legal advice or a legal consultation is required. Specific legal advice is obtained for members in accordance with the Rules of the INTO and the conditions prescribed by the CEC.

**Ratification of Policy:**

The policy was ratified by the staff and Board of Management on:

Signed:   
Chairperson Board of Management

Signed:   
Principal

Date: 13/2/2024

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## Formal Stage 1 Discussion

### 1.1 Parent/guardian meets teacher

A parent/legal guardian who wishes to make a complaint in respect of their own child, should, seek an appointment with the teacher concerned with a view to resolving the complaint. Further meetings with the teacher can be convened as appropriate.

### 1.2 Parent/guardian meets Principal<sup>1</sup>

Where the parent/legal guardian is unable to resolve the complaint with the teacher, they should seek an appointment with the Principal with a view to resolving the complaint. Further meetings can be convened by the Principal as appropriate.

### 1.3 Parent/guardian meets Chairperson

Where the complaint remains unresolved, the parent/legal guardian should seek an appointment with the Chairperson of the Board of Management with a view to resolving the complaint. Further meetings can be convened by the Chairperson as appropriate.

#### Complaint resolved

The complaint may be resolved during this stage.

## Formal Stage 2 Written

### 2.1 Written complaint sent to Chairperson

If the complaint has not been resolved at stage 1, the parent/legal guardian who wishes to pursue the matter further should submit the complaint in writing to the Chairperson of the Board of Management. This commences stage 2.

### 2.2 Chairperson provides a copy to the teacher

The Chairperson should provide a copy of the written complaint to the teacher against whom the complaint has been made, without delay.

### 2.3 Chairperson convenes meeting(s)

The Chairperson should seek to resolve the complaint between the teacher and the parent/legal guardian within 10 school days of the commencement of stage 2.1. This may require one or more meetings to be convened by the Chairperson with the teacher/parent/legal guardian and other school personnel as deemed appropriate by the Chairperson.

#### Complaint resolved

The complaint may be resolved at this stage.

## Formal Stage 3 Board of Management

### 3.1 Chairperson makes a formal report to the Board

If the complaint remains unresolved following stage 2 and the parent/legal guardian wishes to pursue the matter, they should inform the Chairperson in writing of this fact. The Chairperson should make a formal report to the Board of Management within 10 days of receipt of this written statement. At this meeting, the Board can decide to proceed to either stage 3.2 or 3.3.

### 3.2 Complaint concluded

Where the Board considers the complaint, the process may be concluded at this stage, if the board considers that:

- The complaint is frivolous/vexatious;
- The complaint has already been investigated by the board;
- The complaint is more appropriately dealt with through a more relevant DE circular, or;
- where recourse to law has been initiated.

Where the Board determines the complaint is concluded at this stage, the parent/legal guardian should be so informed within five days of the Board meeting.

## Formal Stage 4 Decision

### 4.1 Written decision from Chairperson

The Board will consider the complaint and the response provided and will adjudicate on the matter. The Chairperson should convey the decision of the Board in writing to the teacher and the parent/legal guardian(s) within five days of the meeting held at stage 3.3.

### 4.2 Complaint concluded

The decision of the Board shall be final.

### 3.3 Proceed to a hearing

Where the Board decides to proceed to a hearing, it should proceed as follows:

- the teacher should be informed that the complaint is proceeding to a full hearing and the Chairperson must ensure the teacher has been supplied with all documents which are being considered by the Board.
- the Board should arrange a meeting with the parent/legal guardian if it considers such to be required. The parent/legal guardian is entitled to be accompanied and assisted by a friend at any such meeting.
- the teacher should be afforded an opportunity to make a presentation of their case to the Board. The teacher is entitled to be represented by a friend or a union representative, who may be accompanied for the purpose of assistance and note taking.
- the teacher should be requested to supply a written statement to the board as the employer in response to the complaint. This written statement will be confidential to the employer and will not be shared with any third party.
- the meeting of the Board of Management referred to in 3(b), (c) and (d) will take place within 10 days of the meeting referred to in 3.1, in so far as possible.

<sup>1</sup>Where a complaint is received about a principal the above process commences at Stage 1.2.