

Scoil Mhuire Junior National School

Parental/Guardian Complaints Procedure

November 2017

Introduction

The Board of Management cannot investigate or deal with the following types of complaints:

- a. Complaints on matters of professional competence which must be referred to the Department of Education and Skills.
- b. Complaints in which either party has recourse to law or to another existing procedure [e.g. Section 29 Appeals; issues/allegations of discrimination].

The Board of Management will not investigate a complaint which is deemed by the Board of Management to be frivolous or vexatious.

Informal Resolution of Complaints

An informal complaint need not be made in writing.

[A] A parent/guardian who wishes to make an informal complaint or raise an issue relating to a pupil in the school:

- a. May contact the class teacher at an appropriate time with a view to informing the teacher of the issue/complaint.
- b. Agree a time and date with the teacher for a discussion of the issue/complaint with a view to resolving the complaint in an informal manner.

A parent/guardian should not interfere with or disrupt the timetable of the school or class in so doing:

[B] In the event that the complaint cannot be resolved informally between the parent/guardian and teacher :

- a. The parent/guardian may contact the School Principal at an appropriate time with a view to informing the School Principal of the issue/complaint.
- b. Agree a time and date for a discussion with the School Principal of the issue/complaint with a view to resolving the complaint/issue in an informal manner.

The School Principal may arrange, if the School Principal deems it appropriate or reasonable, for a meeting to take place between the

parent/guardian and the Teacher and the School Principal with a view to resolving the complaint.

NOTE: If the complaint is not resolved through the **Informal Resolution of Complaints Procedure** the parent/guardian is required to comply with the Formal Complaints Procedure.

Formal Complaints Procedure

Stage 1

If a complaint is not resolved through the Informal Resolution of Complaints Procedure or if a parent/guardian wishes to make a formal complaint directly to the Board of Management:

- a. The parent/guardian shall be obliged to submit the written complaint addressed to the Chairperson of the Board of Management and marked “Private & Confidential”.
- b. The complaint shall specify, if applicable, the date and time of the incident giving rise to the complaint, the teacher against whom the complaint is being made and precise details of the complaint being made. Care should be taken in the filing of the complaint not to make personal or hurtful or slanderous remarks or comments about any teacher, parent/guardian or pupil.
- c. The Chairperson shall bring the complaint to the attention of the Board of Management as soon as is reasonably practicable.
- d. The Board of Management may appoint the Chairperson or one its Members [“the Designated Member”] to notify the teacher of the complaint and to furnish the teacher with a copy of the written complaint. At this stage the Teacher is not required to furnish a written reply to the complaint.
- e. The Designated Member may seek to resolve the matter between the parent/guardian and the Teacher within 14 days of the Board of Management meeting.
- f. The Designated Member may, if he/she deems it appropriate or desirable, arrange a meeting within the 14 day period from the BOM meeting, between the Teacher and the parent/guardian and/or the School Principal with a view to resolving the complaint.
- g. The Designated Member shall keep notes of any meetings and/or discussions which may take place and/or any investigations carried out by the Designated Member into the complaint. These notes are for the benefit of the Designated Member and shall not be released to and/or shared with the Teacher and/or complainant.

Stage 2

If the complaint cannot be resolved by the Designated Member in accordance with the above procedure:

- a. The complaint shall be referred to the next available Board of Management Meeting.
- b. The teacher shall be formally requested by the Chairperson of the Board of Management to furnish a written response to the complaint.

Stage 3

3.1 The Designated Member shall furnish to the Board of Management a formal report of the steps taken to date to resolve the complaint and copies of any notes or attendances taken in relation thereto.

3.2 Having considered the written complaint, the written response of the Teacher, the report of the Designated Member into the complaint if the Board considers that the complaint is not upheld the teacher and the complainant shall be so informed in writing within five days of the Board meeting.

4.3 If the Board considers that the complaint is upheld or that the complaint warrants further investigation:

(a) The teacher shall be informed that the investigation is proceeding to the next stage:

(b) The teacher shall be afforded an opportunity to make a presentation of his/her submission to the Board. The teacher shall be entitled to be accompanied and assisted by a friend or work colleague at any such meeting. The teacher shall not be entitled to be legally represented at this presentation; The Teacher shall not be entitled at this meeting to examine/cross examine the complainant in relation to the complaint. The complainant is not required to be present at this Board meeting with the teacher.

(c) The Board may arrange, at its sole discretion, a meeting with the complainant if it considers same to be desirable or practicable. The complainant shall be entitled to be accompanied and assisted by a friend/family member at any such meeting;. The complainant shall not be entitled to be legally represented at this presentation. The complainant shall not be entitled at this meeting to examine/cross examine the Teacher in relation to the complaint. The teacher is not required to be present at this Board meeting with the complainant.

(d) The board shall be entitled, but is not obliged, to carry out further investigations into the complaint. In that event the Teacher and/or complainant shall be furnished with details of any such further investigations and shall be entitled if he/she so wishes to make further written submission to the Board.

Stage 4

4.1 The Board of Management shall make a formal decision as to whether the complaint is or is not upheld.

4.1 When the Board has completed its investigation the Chairperson shall convey the decision of the Board in writing to the teacher and the complainant within five days of the meeting of the Board. The Board shall not be obliged to give the reasons for its decision.

4.2 The decision of the Board shall be final and binding on all parties.

NOTE:

The Office of the Ombudsman for Children may independently investigate complaints. Further information can be obtained on www.oco.ie

A complaint may be made to the Teaching Council of Ireland in relation to registered teachers, Further information can be obtained on www.teachingcouncil.ie

Ratification of Policy

This policy was adopted by the Board of Management on November 14th 2017