

## **ST. TIARNACH'S PRIMARY SCHOOL COMPLAINTS PROCEDURE/POLICY TO BE FOLLOWED IN THE EVENT OF A COMPLAINT ARISING AGAINST A TEACHER**

### **Background**

The following official complaints procedure, regarding a teacher, has been adopted by the Board of Management of the school. It is in line with the agreement on procedures for dealing with complaints by parents against teachers by the Irish National Teachers' Organisation and the Catholic Primary School Managers' Association. The purpose of the procedure is to facilitate the resolution of difficulties, where they may arise, in an agreed and fair manner. The agreement lays out in five steps the process to be followed in progressing a complaint and the timescale for each step. Please **note** all complaints must be in writing before they can be considered by the Board

The Board of Management cannot deal with complaints which are deemed to be:

- (i) matters of professional competence and which are to be referred to the Department of Education
- (ii) frivolous or vexatious complaints, which do not impinge on the work of a teacher in a school or
- (iii) 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.

### **Step 1**

- (a) 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
- (b) Where the parent/guardian is unable to resolve the complaint with the class teacher she/he should approach the Principal with a view to resolving it
- (c) 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.

### **Step 2**

- (a) If the complaint is still unresolved and the parent/guardian wishes to pursue the matter further she/he should lodge the complaint in writing with the Chairperson of the Board of Management
- (b) 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 5 working days of receipt of the written complaint.

### **Step 3**

- (a) 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:
  - (i) supply the teacher with a copy of the written complaint; *and*
  - (ii) arrange a meeting with the teacher and, where applicable, the Principal with a view to resolving the complaint. The meeting will take place within 10 working days of receipt of the written complaint.

#### **Step 4**

- (a)** If the complaint is still not resolved the Chairperson should make a formal report to the Board within 10 working days of the meeting referred to in Step 3 (a) (ii) above.
- (b)** If the Board considers that the complaint is not substantiated, both the teacher and the complainant should be so informed within three working days of the Board meeting.
- (c)** If the Board considers that the complaint is substantiated or that it warrants further investigation it proceeds as follows:
  - (i)** the teacher should be informed that the investigation is proceeding to the next stage
  - (ii)** the teacher should be supplied with a copy of any written evidence in support of the complaint
  - (iii)** the teacher should be requested to supply a written statement to the Board in response to the complaint
  - (iv)** the teacher should be afforded an opportunity to make a presentation of case to the Board. The teacher can be accompanied and assisted by a friend or union representative
  - (v)** 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 and
  - (vi)** the meeting of the Board of Management referred to in (d) and (e) will take place within 10 working days of the meeting referred to in Step 3 (a) (ii) above.

#### **Step 5**

- (a)** When the Board has completed its investigation, the Chairperson should convey the decision of in writing to the teacher and the complainant within five working days of the meeting
- (b)** The decision of the Board shall be final
- (c)** This Complaints Procedure shall be reviewed after three years
- (d)** The CPSMA or INTO may withdraw from this agreement having given the other party three months' notice of intention to do so.