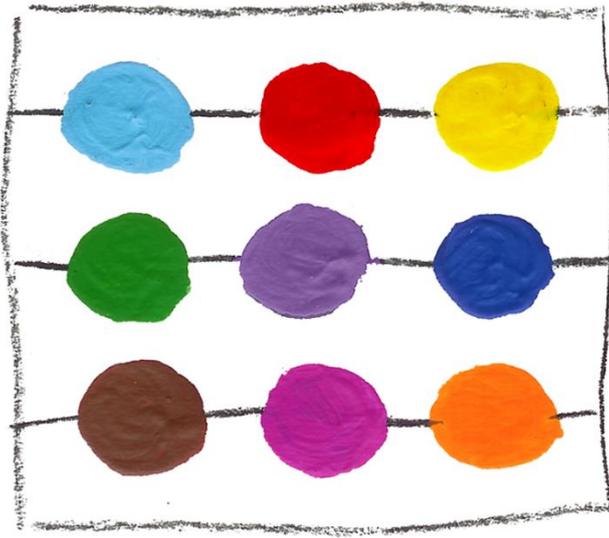


Complaints and Grievances Policy



Carrigaline Educate Together N.S.

This document is intended to provide details of the main policies of Carrigaline Educate Together National School (CETNS). It is intended to help parents and guardians understand the environment and approach of the school. This document is regularly reviewed. All feedback is encouraged and welcome.

Version	Date	Description	Authors
1.0	Jun 2019	First version of policy	Board of Management

School Contact Details

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Introductory Statement

Carrigaline Educate Together National School (CETNS) seeks to encourage and foster positive and respectful relationships among all members of the school community. However, the Board of Management (BOM) recognises that disagreements, conflicts and grievances may arise from time to time which necessitate the availability of clearly-stated procedures to be followed by all concerned with such matters. In addition, the BOM is mindful of its legal obligations in the management and support of all staff members and recognises the need for disciplinary procedures to guide it in its working with staff members.

Rationale

The purpose of this policy is:

- to give guidance on how to deal with grievances and complaints in the school community.
- to follow legislation including the Education Act, the Education Welfare Act, The Teaching Council Act, and Equality legislation amongst others that impose obligations and duties on Boards of Management to facilitate and encourage school climate that fosters positive relationships among all members of the school community.
- to follow various Department of Education and Skills' Circulars which guide the BOM in the management of the various relationships that arise within the school context.

Relationship to the Characteristic Spirit of the School

This policy reflects the overall ethos of the school which states:

Carrigaline Educate Together N.S. is one of a number of equality-based schools throughout the country. The representative organisation for these schools is Educate Together.

Educate Together aims to meet a growing need in Irish society for schools that recognise the developing diversity of Irish life and the modern need for democratic management structures. In particular, Educate Together guarantees children and parents of all faiths and none equal respect in the operation and governing of education.

The schools operated by the member associations of Educate Together are fully recognised by the Irish Department of Education & Skills and work under the same regulations and funding structures as other national schools. However, they have a distinct ethos or governing spirit. This has been defined in the following terms:

- Equality-based i.e. all children having equal rights of access to the school, and children of all social, cultural and religious backgrounds being equally respected
- Co-educational and committed to encouraging all children to explore their full range of abilities and opportunities,
- Child centred in their approach to education
- Democratically run with active participation by parents in the daily life of the school, whilst positively affirming the professional role of the teachers (Source: Educate Together Charter)

Whilst the concepts of child-centeredness and co-educationalism are now widely accepted in Irish primary education, what distinguishes the Educate Together schools is their hard work in developing a culturally inclusive and democratic ethos. This has pioneered unique approaches to inclusion of minority opinions and faiths in the Irish context.

The schools have developed education programmes which open the eyes of children to the naturally positive contribution that social, religious and cultural diversity and difference of viewpoint and opinion make to society.

The other characteristic feature of these schools is that they are democratically organised and governed. This maximises the potential for building a genuine partnership between the professional, objective role of the teacher and the necessarily personal involvement of the parent in contributing to their children's education.

Information taken from the Educate Together website www.educatetogether.ie

Carrigaline Educate Together N.S. makes the distinction between denominational education and moral/religious education. The ethical curriculum followed by the school is called the Learn Together Curriculum. It is comprised of four strands: Morality & Spirituality, Equality & Justice, Belief systems, Ethics & the environment. Denominational instruction is facilitated by the school insofar as groups are permitted to use the school premises. This is organised by parents outside of school hours.

Aims:

The policy aims:

- to give guidelines to members of the school community on how to engage with complaints and grievances in the school.
- to facilitate the resolution of difficulties when they may arise in an agreed and fair manner.
- to provide awareness regarding the steps which individuals may take if they have a complaint or grievance
- to encourage the use of informal resolution methods and the use of mediation as often and as early as possible during disputes

Procedures for Addressing Complaints against teachers

It is acknowledged that disagreements and/or complaints may arise from time to time. It is envisaged that all disputes/challenges should be addressed initially at a more informal level, usually involving contact and communication between parent(s) and teacher(s). Experience has shown that where a mutually respectful willingness among parent(s) and teacher(s) exists to discuss difficulties and to engage in a solution-driven approach to addressing such disputes/challenges, then the majority of such matters are resolved speedily and to the satisfaction of all involved.

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 Stage 3 (with teacher / principal).
- 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:
 - a) the teacher should be informed that the investigation is proceeding to the next stage;
 - b) the teacher should be supplied with a copy of any written evidence in support of the complaint;
 - c) the teacher should be requested to supply a written statement to the board in response to the complaint;
 - d) 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 an advocate at any such meeting;
 - e) 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

- f) 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 Stage 3.

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.

Taken from

<https://www.into.ie/ROI/InfoforTeachers/ParentTeacherRelations/INTOManagementComplaintsProcedure/>

Complaints about teachers from pupils

- If a complaint about a teacher comes from a pupil to another teacher, the teacher to whom the complaint is made will refer to the pupil's teacher. This teacher will then decide whether to deal with the matter her/himself or to refer it to the principal. In either case, the principal should be informed of the circumstances and a written record kept by both the teacher concerned and the principal.
- If the complaint about a teacher comes from a pupil to the principal, it will be listened to, notes taken and the pupil will be advised that the matter will be discussed with the teacher concerned with

a view to resolving the issue. In either case, if the complaint is deemed by the principal, after investigation and discussion with both the pupil and teacher, to be wrong or vindictive on the part of the pupil, the parents or guardian of the pupil may be invited to the school to discuss the matter.

Complaints about the Principal – Made by parents or pupils

- Complaints coming from parents or pupils will be dealt with directly by the principal in the first instance, in order to resolve the issue informally and amicably if possible.
- If the complainant is unhappy or feels that the complaint has been dealt with unfairly, the complaint may be outlined in writing to the Chairperson of the Board of Management and the procedure for addressing complaints against teachers outlined above is followed.

Role of the Teaching Council in addressing complaints against teachers

The BOM is cognisant of the fact that Part 5 (Fitness to Teach) of the Teaching Council Acts 2001-2015 has been commenced and this part of the Act relates to the Council's role in investigating complaints relating to registered teachers. In this context, it is important to note that existing, agreed procedures for dealing with difficulties and complaints at school level will continue to operate. The Council has stated its belief that, in most cases, these existing, agreed procedures will offer the best means for resolving problems as they arise. In this regard, the Council has stated that only complaints which are of a serious nature, relating to registered teachers, can progress to an inquiry. The BOM will facilitate the work of the Teaching Council in any investigation which may be warranted in fulfilling its legal obligations.

Complaints about Special Needs Assistants (SNAs)

- Complaints coming from parents to the class teacher will be dealt with directly by the class teacher who will try to resolve the difficulty amicably.
- Similarly, complaints coming from parents to the principal will be dealt with directly by the class teacher who will try to resolve the difficulty amicably.
- Complaints about the SNA coming from the class teacher will be dealt with in the first instance by the teacher approaching the SNA with a view to resolving the issue. If the matter cannot be resolved satisfactorily, it will be brought to the principal.

Complaints about Pupils

- Complaints made about pupils by other parents will be handled by the class teacher in the first instance and the principal if thought necessary, through the procedures set out in the Code of Behaviour and the Anti-Bullying Policy. Under no circumstances should a parent approach any child other than their own child in the school.
- Complaints made about pupils by other pupils will be handled by the teacher to whom the complaint is made in the first instance and by referring the matter to the principal if considered necessary.

Complaints about Parents

- Teacher will try and resolve the issue with the parent one-on-one. If the issue is unresolved the teacher can refer the issue to the principal who will try to resolve the issue between the teacher and parent.

Complaints about Ancillary Staff

- These will be referred to the principal who will approach the staff member directly in order to resolve the issue.

Complaints about substitute teachers and visiting teachers

- These will be referred to the principal who will approach the teacher in question directly with a view to investigating and resolving the issue.

Complaints about visitors to the school

- In the case of visitors to the school, (e.g. students on work experience, students on teaching practice, visiting members of other agencies) the complainant will refer the issue to the principal in the first instance
- If not resolved at this stage, the issue will be referred to the management body dealing with the worker with a view to resolving the issue.

Internal Conflict issues

In keeping with the mission and ethos of the school, staff members will seek to resolve internal conflict issues amicably between those concerned. However, if this process fails the INTO's 'Procedure to Address Staff Difficulties' will be followed;

Stage 1: Informally address matters between the parties

It is open to an individual teacher/group of teachers/entire staff to raise the matter of internal working relations in the school, particularly, where staff relations difficulties exist.

For the purpose of this procedure the teacher(s) who raises the matter shall be termed party A. Party A should raise the matter with the teacher(s) it considers to be the source of the difficulty or who is contributing to the difficulty and this may include the principal teacher, ie for the purpose of this procedure, party B.

The manner by which party A decides to raise matters, will to a large extent depend on the issues identified by the party, previous experience and the existing procedure in the school for raising matters. In general, the following steps should be taken:

Party A should identify the areas where staff relations difficulties exist or if applicable, where relations can be improved; party A should raise matters at the earliest opportunity directly with party B; party B should make every effort to respond in a constructive manner to the issues raised by party A; the onus is now on both parties to engage constructively to sort out matters and it would be expected that the parties would be prepared to reach solutions and if appropriate, move their position in order to resolve matters at the earliest opportunity; both parties should agree realistic time frames which should not be later than 20 school days by which time a framework for resolution of issues should be agreed; the outcome of the discussions should be recorded by the parties in a mutually agreeable manner; by agreement the 20 school day period may be extended and the parties should take specific note of the new time frames.

Please note that if resolution is not achieved and the principal teacher is one of the parties at stage 1, then, where a party wishes to continue, the procedure should, after completion of stage 1, move directly to stage 3 or stage 4.

Stage 2: Role of the principal teacher

Where it has not been possible to resolve matters informally and directly between the parties and where the principal teacher is not a party to the conflict, the principal should be consulted by both parties as follows:

- the principal teacher should be briefed by each party on the discussions which have occurred at the informal stage;
- as part of effective leadership, the principal teacher has a role in promoting positive working relations and accordingly should hear the parties and seek to mediate and resolve the staff relations difficulty;
- the principal should act in a fair and impartial manner and may exercise judgement and make decisions which he/she considers necessary to resolve matters;
- the onus is on both parties, facilitated by the principal teacher, to engage constructively to resolve matters and it is expected that the parties would be prepared to reach solutions and, if appropriate, move their position in order to resolve matters at the earliest opportunity;
- where the principal teacher deems it prudent and appropriate, he/she may raise the matter at a staff meeting and seek to initiate a framework through full staff dialogue, to resolve matters. In these circumstances, it is recommended, that where possible, a neutral member of staff or a member of staff acceptable to both parties, should be selected to chair the staff meeting;
- the outcome of the discussions should be recorded by the parties including the principal teacher in a mutually agreeable manner;
- 20 school days are provided to resolve matters at stage 2 and the parties should note the time frames which should only be extended by agreement.

Please note that where resolution is not achieved at stages 1 or 2, it is open to the parties to move to stage 3 or to go directly to stage 4.

Stage 3: External intervention

Where resolution has not been achieved at either stage 1 or stage 2, the parties and/or the principal teacher may request the board of management to appoint a mediator, agreeable to the parties.

Prior to entering a mediation process, each of the members of staff concerned, will be required to supply the following background information for the attention of the mediator only:

- a written account of the issues involved;
- a written account of the initiatives taken to date to resolve matters, detailing any progress made, together with a general outline of the sequence of dates. Where the principal teacher has been involved at stage 2, he/she should also supply an account;
- a list of the outstanding issues and the resolutions sought by the parties; and
- a written and signed undertaking, to the effect, that he/she:
 - will constructively participate in the mediation process;
 - will be flexible in order to achieve resolution; and
 - will abide by and act on the recommendations of the mediator.

The mediator shall:

- review all of the documentation;
- arrange to meet with the parties;
- decide on whether it is possible to achieve a framework for resolution in light of the attitudes of the parties; and
- where the mediator decides to proceed, he/she shall, following the mediation process, draft a conclusion.

The conclusion of the mediator shall solely state whether mediation has either achieved or failed to achieve a framework for resolution. The conclusion of the mediator shall be available to the parties and to the board of management.

In addition, if a framework for resolution is agreed between the parties, then a copy of same may be appended to the conclusion.

As a rule, the mediator shall complete his/her work within 20 school days.

A joint INTO/management panel of mediators will be established for the purpose of facilitating independent mediation.

Please note that any expenses involved at this stage will be shared by the parties, ie INTO and the relevant management body, provided that prior sanction for same has been obtained from those parties.

Stage 4: Formally address matters with the board of management

Where it has not been possible to agree a framework for resolution at previous stages, the matter should be referred, by the parties, to the board of management for investigation. The referral should be in writing. In addition, the conclusion of the mediator may indicate that the matter should be referred to the board of management and in this regard, the mediator's conclusion may itself constitute a referral. Once a board of management has received a written referral to investigate a staff relations difficulty, it should, generally, proceed as follows:

- the board may enquire into the background of the difficulties including obtaining details on the sequence of initiatives taken at previous stages;
- the board or the chairperson of the board may meet the teachers individually or collectively and may also request written submissions from the parties, having regard also to the principles of due process;
- the board may request the principal teacher to furnish a written submission;
- the board may afford the parties an opportunity to present their case orally at a board meeting, in each other's presence;
- following oral presentations the board of management may designate the chairperson to meet with the parties again, separately or jointly, if further clarification is required or to work towards resolution;
- the board of management may convene a number of meetings in order to achieve resolution; the board of management shall act in a fair and impartial manner in order to achieve resolution;
- the board is entitled to reach conclusions and to request the parties to agree a framework for resolution in which the parties will fully and constructively participate;
- where the parties fail to voluntarily agree a framework for resolution, following a request by the board of management, the board itself is entitled to decide on an appropriate framework for resolution and may, if considered necessary, direct the parties to participate in same;
- the board of management should complete its investigation within 20 school days of receipt of the written referral;
- the steps taken at stage 4 should be recorded, reviewed and monitored and the record should be available to the parties.

Taken from

<https://www.into.ie/ROI/InfoforTeachers/StaffRelations/ProceduretoAddressStaffDifficulties/>

Success Criteria

The practical indicators of the success of the policy include:

- We receive positive feedback from staff members and members of the school community.
- Procedures/steps which individuals may take if they believe that they have a complaint or grievance are carried out in accordance with national best practice guidelines.
- The use of informal resolution methods and the use of mediation as often and as early as possible during disputes is evident in practice.
- The successful resolution of any difficulties or challenges that arise within the school environment.

Roles and responsibility of the policy

The Board of Management, Principal and Policy Committee have been responsible for supporting, developing, implementing and evaluating this policy.

Implementation Date

The plan was implemented in June 2019. Amendments will be implemented immediately.

Timetable for Review

This policy will be reviewed in 2022/2023 and every four years thereafter.

Ratification & Communication

The plan was circulated to the members of the Board of Management prior to the meeting on 24th June 2019 and was formally ratified on 25th June 2019 .

Notification that the plan is available for viewing will be communicated to the parents in the School Communication. It will be available for viewing by appointment in the office.

Signed: _____
CHAIRPERSON of the BOM

Date: _____

Reference

<https://www.into.ie/ROI/InfoforTeachers/ParentTeacherRelations/INTOManagementComplaintsProcedure/>

<https://www.into.ie/ROI/InfoforTeachers/StaffRelations/GrievanceProcedure/>