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Grievance Resolution Procedure

The 1998 Education Act provides the legal framework for the delivery of education to children through recognised schools. All recognised schools are legally owned by the school patrons or trustees and managed by a school's Boards of Management.

The Board of Management is also the employer of teachers, principals and all other staff in a school. Accordingly, parents wishing to make a complaint against a school or individual staff member of a school should contact the relevant school authorities. The complaint procedures adopted by most schools are those that have been agreed between the teacher unions and school management bodies.

Under the 1998 Education Act, the Minister for Education and Skills provides funding and policy direction for schools. Neither the Minister nor the Department have legal powers to either:

- instruct schools to follow a particular course of direction with regards to individual complaint cases, or
- to investigate individual complaints.

While the Department does not pass judgment on individual complaints it can clarify for parents and pupils how their grievances and complaints against schools can be progressed. If you require any further clarification please visit www.education.ie and click on the 'Parents' tab.

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 stages the process to be followed in progressing a complaint and the specific timescale to be followed at each stage.

Introduction

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:

- (i) on matters of professional competence and which are to be referred to the Department of Education/The Teaching Council;
- (ii) frivolous or vexatious complaints and 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.

The following is the agreed complaints procedure to be followed in primary schools.

Stage 1

1. A parent/guardian who wishes to make a complaint should, firstly approach the class teacher with a view to resolving the complaint
2. Where the parent/guardian is unable to resolve the complaint with the class teacher he/she should approach the Principal teacher with a view to resolving it
3. 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

1. If the complaint is still unresolved and the parent/guardian wishes to pursue the matter further, he/she should lodge the complaint in writing with the Chairperson of the Board of Management
2. The Chairperson will 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 days of receipt of the written complaint.

Stage 3

1. If the complaint is not resolved informally, the Chairperson should, subject to the authorization of the Board:
 - a. supply the teacher with a copy of the written complaint and
 - b. arrange a meeting with the teacher, and where applicable, the Principal with a view to resolving the complaint. Such a meeting should take place within 10 days of receipt of the written complaint.

Stage 4

1. If the complaint is still not resolved, the Chairperson should make a formal report to the board within 10 days of the meeting
2. If the Board considers that the complaint is not substantiated, the teacher and the complainant should be so informed within 3 days of the Board meeting
3. If the Board considers that the complaint is substantiated or that it warrants further investigation, the following steps should be followed:
 - a. He/she should be requested to supply a written response to the complaint to the Board and should be afforded an opportunity to make a presentation to the Board and to be accompanied by another person to that meeting
 - b. The Board may arrange a meeting with the complainant, who may be accompanied by another person to this meeting.

Stage 5

1. Following the Board's investigations, the Chairperson shall convey the decision of the Board in writing to the teacher and the complainant within 5 days of the meeting of the Board. The decision of the Board shall be final.

Success Criteria

The success of this policy will be measured by observing the following:

- Benefit to pupil learning
- Parental involvement in school activities is increased
- Feedback from parents and staff

Roles & Responsibilities

All staff and parents have a role in supporting, developing and implementing this policy.

Timetable & Review

This policy will be reviewed in 2017.