



Parental Complaints Procedure

The Irish National Teachers' Organisation and Primary School Management reached agreement in 1993 on a procedure for dealing with complaints by parents/ legal guardians against teachers. This procedure has since been revised and came into effect from 1st January 2024. 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.

The procedure covers all matters relating to the actions of staff employed in the school and the application of school procedures, where they affect individual pupils.

Please note: The Board of Management of AshbourneETNS follows the '[Governance Manual for Primary Schools 2023-2027](#)' as laid down by the Dept. of Education in all matters of business. Therefore **15(3) (Pg41) Disclosure of Interest/integrity of Board Proceedings** deems it necessary for any member of the Board who is personally subject of a matter which is before the board to be withdrawn from the deliberations.

Introduction

The procedure is a staged procedure where every effort is made to resolve matters at the earliest possible stage. In most cases, concerns will be dealt with either informally or formally at the earlier stages of the procedure. Where it is not possible to agree a resolution at the earlier stages, the procedure does allow for the escalation of the matter to the Board of Management. This procedure sets out, in four stages, the process to be followed in progressing a complaint and the specific timescale to be followed. In order to be compliant with school policy, it is expected the parties will follow each stage in sequence.

Procedural Points

- The school will not deal with anonymous complaints (except for those concerning child protection matters) and therefore these procedures do not provide for a resolution of anonymous complaints.
- Where the term correspondence is used, this refers specifically to a letter or email correspondence from a parent/ legal guardian.
- Only complaints about a teacher which are written and signed by parents/guardians, and which relate to their own child, will be investigated.
- Where a complaint raised by a parent/ legal guardian is deemed by the employer/ Board of Management to relate to the following, this procedure will not apply;

(i) on matters of professional competence and which are to be referred to the Department of Education;

(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.

- In all circumstances, any form of written correspondence for the attention of the Board of management must be supplied to the Chairperson of the Board of Management only. Any deviation from this could be deemed prejudicial and as acting out of the scope of this agreement.
- Days in this procedure refer specifically to school days. A school day is a day on which the school is in operation. Holiday periods, school closures and leaves of absence are not counted as school days for the purpose of this procedure.
- Group/ collective complaints are not provided for and each parent/guardian raising a concern will be dealt with separately through this process.
- The procedure is a domestic forum and accordingly, neither management nor the INTO intends that there would be legal representation at any stage.
- Issues should be raised in a timely manner. It is in the best interests of the child that issues are raised to achieve early resolution at the earliest possible stage with the teacher, ideally while the pupil is in that teacher's class.
- Unwritten complaints not in the above categories will be processed informally as set out in Stage 1 of this procedure.

Formal Stage 1 : Discussion

1.1 Parent/ Legal Guardian meets teacher

A parent/guardian who wishes to make a complaint must contact their child's class teacher outlining their concern as concisely as possible, addressing specifically the issue(s) that are of concern to you so that he/she may have an opportunity to address the issue. Parties will confirm a mutually agreed time to meet with the class teacher and approach the meeting with a view to resolving the complaint. Please observe the school's existing protocols for arranging and conducting such meetings and follow the school's practices with respect to access to members of teaching staff. This approach would not prevent you from choosing to enter the formal process at a later stage, if you believe that to be an appropriate course of action.

1.2 Parent/ Legal Guardian meets Principal

Where the parent/guardian is unable to resolve the complaint with the class teacher they must contact the Principal outlining their concern, receive confirmation of a mutually agreed time and approach the meeting with a view to resolving the complaint. In advance of this meeting you should inform the principal, in writing, of the nature of your complaint so that s/he may be in a position to resolve the problem without further delay.

In some circumstances the Principal may not be able to deal effectively with your complaint immediately and s/he may require some time to investigate and prepare a response.

1.3 Parent/ Legal 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.

The complaint may be resolved at this stage.

Formal Stage 2: Written

2.1 Written complaint sent to Chairperson

If the complaint has not been resolved at stage 1, and 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.

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.

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 with 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:

- a.) the complaint is frivolous/vexatious
- b.) the complaint has already been investigated by the Board
- c.) the complaint is more appropriately dealt with through a more relevant DE circular

Or

- d.) 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.

3.3 Proceed to a hearing

Where the Board decided to proceed to a hearing, it should proceed as follows;

- a.) 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.
- b.) 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.
- c.) the teacher should be afforded an opportunity to make a presentation of their case to the Board. The teacher is entitled to be presented by a friend or a union representative, who may be accompanied for the purpose of assistance and note taking.
- d.) 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.
- e.) 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.

Formal Stage 4: Decision

4.1 Written decision from Chairperson

The Board will consider the complaint and 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 with five days of the meeting held at stage 3.3.

4.2 Complaint concluded

The decision of the Board shall be final.

5.4 Primary School Management or INTO may withdraw from this agreement having given the other party three months' notice of intention to do so.

Please note;

- In this agreement 'days' means days that the school is open and pupils are in attendance.
- Complaints will only be processed by the Board of Management during school terms and not during school holidays or closures
- Correspondence to the Board of Management will only be accepted and responded to by post. All correspondence should be addressed to The Chairperson, Board of Management, Ashbourne ETNS, Killegland, Ashbourne, Co. Meath.
- It is a condition of enrolment of AshbourneETNS that parents/ guardians sign to accept and agree to follow this policy in its entirety

Implementation

This procedure will be implemented immediately and will be reviewed every 5 years

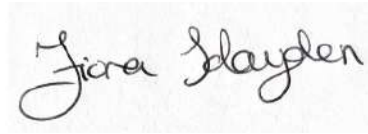
Signed:

Handwritten signature of Noel Gildea in black ink.

Chairperson of Board of Management

Date: 21/2/2024

Signed:

Handwritten signature of Fiona Hayden in black ink, enclosed in a light grey rectangular box.

Principal/Secretary to the Board of Management

Date: 21/2/2024