

### **Parental Complaints Procedure**

Adopted by Board of Management: 1th March	2024
Next Review date:	
Signed:	
(Chairnerson of the Board of Management)	

### PARENTAL COMPLAINTS PROCEDURE

Purpose/Objective The parental complaints procedure was revised and agreed by the Irish National Teachers' Organisation and the management bodies of primary schools, the Catholic Primary Schools Management Association, the Church of Ireland, An Foras Pátrúnachta, the Muslim Primary Education Board, Educate Together and the National Association of Boards of Management in Special Education in 2023. It is designed to provide an open and clearly defined process to facilitate parents/legal guardians in raising concerns about their own child/children in an agreed, fair and transparent manner.

It is recognised that parents/legal guardians are the primary educators in a child's life and as such from time-to- time concerns may arise which they may need to engage with the school. It is expected that engagement will be timely, courteous and resolution focused to ensure that the important relationship between the parent and school can be preserved and respected. It is expected that all parties concerned will engage proactively.

### **Procedural Points**

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 has not been 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. It is expected the parties will follow each stage in sequence.

- Where the term written correspondence is used, this refers specifically to a letter or email correspondence from a parent/legal guardian(s).
- Only complaints about a teacher which are written and signed by a parent/legal guardian, 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;
  - 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 <u>only.</u> Any deviation from this could be deemed prejudicial and as acting outside 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 absences are not counted as school days for the purpose of this procedure.
- Group/collective complaints are not provided for and each parent/legal 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. In this
  agreement 'days' means schools days.

**Written complaints** – refers to complaints in the form of a letter addressed specifically to the Chairperson/BoM and signed by the complainant.

### Rights of the staff member

Throughout the complaints process all parties handling the complaint will have due regard to fair practice and the employee's entitlement to the following:

- that the teacher/staff member 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, FORSA or IMPACT, if necessary.
- The right to any personal information handled with confidentiality and with regard to the relevant data protection procedures.

# Formal Stage 1

### (10 days) Formal Stage 2 Written

## **Board of Management** Formal Stage 3

### (5 days) Formal Stage 4

## Decision

(20 days)

## Discussion

wishes to make a complaint in A parent/legal guardian who 1.1 Parent/guardian meets teacher

respect of their own child, should, teacher concerned with a view to

seek an appointment with the

resolving the complaint. Further

meetings with the teacher can

be convened as appropriate.

# 2.1 Written complaint

resolved at stage 1, the parent/ should submit the complaint in writing to the Chairperson of the Board of Management. to pursue the matter further legal guardian who wishes This commences stage 2.

If the complaint has not been sent to Chairperson

### 2.2 Chairperson provides a copy to the teacher

written statement. At this meeting,

within 10 days of receipt of this

to the Board of Management

should make a formal report of this fact. The Chairperson

the Chairperson in writing

the Board can decide to proceed

to either stage 3.2 or 3.3.

teacher against whom the complaint copy of the written complaint to the The Chairperson should provide a has been made, without delay.

> with the teacher, they should seek an appointment with the Principal with a view to resolving the complaint.

is unable to resolve the complaint

Where the parent/legal guardian

1.2 Parent/guardian

meets Principal

Further meetings can be convened

by the Principal as appropriate.

3.2 Complaint concluded

Where the Board considers the

complaint, the process may

be concluded at this stage, if

the board considers that:

### convenes meeting(s) 2.3 Chairperson

by the Chairperson with the teacher/ or more meetings to be convened parent/legal guardian and other The Chairperson should seek to appropriate by the Chairperson. resolve the complaint between legal guardian within 10 school days of the commencement of stage 2.1. This may require one school personnel as deemed the teacher and the parent/

unresolved, the parent/legal guardian

Where the complaint remains

1.3 Parent/guardian

meets Chairperson

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,

appropriately dealt with through

c) The complaint is more

a more relevant DE circular,

d) where recourse to law

has been initiated.

b) The complaint has already been

frivolous/vexatious;

a) The complaint is

investigated by the board;

## Complaint resolved

Where the Board determines the stage, the parent/legal guardian

complaint is concluded at this

five days of the Board meeting.

should be so informed within

The complaint may be resolved at this stage.

The complaint may be resolved during this stage. Complaint resolved

### If the complaint remains unresolved formal report to the Board 3.1 Chairperson makes a

should proceed as follows: following stage 2 and the parent/ legal guardian wishes to pursue the matter, they should inform

provided and will adjudicate on

complaint and the response the matter. The Chairperson

The Board will consider the

4.1 Written decision from Chairperson

> meeting with the parent/legal b) the Board should arrange a guardian if it considers such to be required. The parent/

4.2 Complaint concluded

The decision of the Board shall be final.

guardian(s) within five days of the meeting held at stage 3.3.

of the Board in writing to the teacher and the parent/legal

should convey the decision

Management referred to in 3(b), (c) and (d) will take place within 10 days of the meeting referred the meeting of the Board of

# 3.3 Proceed to a hearing

to proceed to a hearing, it Where the Board decides

that the complaint is proceeding a) the teacher should be informed teacher has been supplied with all documents which are being Chairperson must ensure the considered by the Board. to a full hearing and the

legal guardian is entitled to be accompanied and assisted by a friend at any such meeting.

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

to the employer and will not be statement will be confidential requested to supply a written the employer in response to shared with any third party. the complaint. This written statement to the board as d) the teacher should be

to in 3.1. in so far as possible.

Where a complaint is received about a principal the above process commences at Stage 1.2.