Revised Parental Complaints Procedure

Note:
- *A copy of this procedure will be available for parents/legal guardians on the school website and/or on request from the school. This procedure comes into effect on the 1st of January 2024.*
- *Under the Education Act 1998, legally, all schools are managed by the school's Board of Management, on behalf of the school patron.*

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;
  - 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.
- 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 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.

Formal Stage 1 Discussion

1.1 Parent/guardian meets teacher

A parent/legal guardian who wishes to make a complaint in respect of their own child, should, seek an appointment with the teacher concerned with a view to resolving the complaint. Further meetings with the teacher can be convened as appropriate.

1.2 Parent/guardian meets Principal[1]

Where the parent/legal guardian is unable to resolve the complaint with the teacher, they should seek an appointment with the Principal with a view to resolving the complaint. Further meetings can be convened by the Principal as appropriate.

1.3 Parent/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.

Complaint resolved

The complaint may be resolved during this stage.

Formal Stage 2 Written *(10 days)*

2.1 Written complaint sent to Chairperson

If the complaint has not been resolved at stage 1, 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. This commences stage 2.

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.

Complaint resolved

The complaint may be resolved at this stage.

Formal Stage 3 Board of Management *(20 days)*

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 within 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 decides 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 represented 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 *(5 days)*

4.1 Written decision from Chairperson

The Board will consider the complaint and the 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(s) within five days of the meeting held at stage 3.3.

4.2 Complaint concluded

The decision of the Board shall be final.

[1] *Where a complaint is received about a principal the above process commences at Stage 1.2.*