



**ST. PATRICK'S NATIONAL SCHOOL**

**Greystones, Co Wicklow**

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Principal: Rachel Harper

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Board of Management – Chairperson: Canon David Mungavin

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# COMPLAINTS PROCEDURE



## school policy

# 2020

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## **1. Introduction**

### **1.1 Introductory statement**

(ref <http://www.education.ie/en/Parents/Information/Complaints-Bullying-Child-Protection-Discrimination/Parental-Complaints.html>).

The Department of Education and Skills (DES) issues guidance for parents of children in primary schools who wish to make a complaint about a teacher or other staff members of a school. A guidance note is published on the DES website that aims to generally inform parents about who they should contact to make a complaint against a teacher or other staff member of their child's school; as well as providing guidance on options they may choose to follow, likely timeframes involved and how they can appeal a decision of a school in relation to their child's education

### **1.2 Rationale**

As stated by the DES, the *Education Act* (1998) 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.

## **2. Vision and Aims**

As stated in the school's Mission Statement,

St Patrick's National School aims to provide a safe, caring, happy and disciplined environment where children's self-esteem, self-confidence, initiative and innovation can be nurtured within an atmosphere of mutual respect and appreciation. Teachers, in partnership with the parents and the Board of Management, are committed to providing education of the highest quality for all the children in their care.

### Aims and objectives

This guidance document aims to generally inform parents about who they should contact to make a complaint against a teacher at our school.

The guidance provided on this page does **not** apply to complaints in relation to actions or decisions by the school on allegations of child protection, suspensions, permanent exclusions, refusals to enrol

and those decisions that may discriminate against a child. Guidance to parents on these issues is set out overleaf.

The complaints procedures adopted by St Patrick's National School are those that have been agreed between the teacher unions and school management bodies (ref *INTO/CPSMA Complaints procedures guidelines for Primary Schools*). The details of these procedures for primary schools are presented herewith. These procedures lay out the stages to be followed in progressing a complaint and the specific timescale to be followed at each stage.

Under the *Education Act* (1998), 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.

### **3. Complaints Procedures**

The Irish National Teachers' Organisation (INTO) and Primary School Management reached agreement in 1993 on a procedure for dealing with complaints by parents against teachers. 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 (ref **Appendix**).

### **4. Ratification by Board of Management**

This policy was ratified by the Board of Management.

### **5. Communication**

School personnel and members of the school community were informed of the policy's ratification and it was published on the school website. The policy is available in hard copy from the school office. This policy will be made available to the DES and the school's Patron, on request.

## **6. Review**

This policy is scheduled for a full review in 2025. It is noted that the Board of Management will review and revise the policy as and when such a requirement is identified.

Signed: \_\_\_\_\_

Canon David Mungavin

Chairperson

Board of Management

Signed: \_\_\_\_\_

Rachel Harper

Principal

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date of next scheduled review: **September 2019**

## **Appendix**

### **INTO/CPMSA COMPLAINTS PROCEDURE GUIDELINES FOR PRIMARY SCHOOLS.**

The Irish National Teachers' Organisation and the Catholic Primary School Managers' Association reached agreement in 1993 on a procedure for dealing with complaints by parents against teachers. 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;
- (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.

#### **Stage 1**

**1.1** 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.

**1.2** Where the parent/guardian is unable to resolve the complaint with the class teacher she/he should approach the Principal with a view to resolving it.

**1.3** 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**

**2.1** If the complaint is still unresolved and the parent/guardian wishes to pursue the matter further she/he should lodge the complaint in writing with the Chairperson of the Board of Management.

**2.2** 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 5 days of receipt of the written complaint.

### **Stage 3**

**3.1** 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:

(a) supply the teacher with a copy of the written complaint; *and*

(b) 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**

**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 referred to in 3.1(b).

**4.2** If the Board considers that the complaint is not substantiated the teacher and the complaint should be so informed within three days of the Board meeting.

**4.3** 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 a friend 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 3.1(b).

### **Stage 5**

**5.1** 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.

**5.2** The decision of the Board shall be final.

**5.3** This Complaints Procedure shall be reviewed after three years.

**5.4** CPSMA 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 schools days.