



*"Let the rooms be  
full of happiness"*

*Scoil Íosaf National School,  
Castlemartyr, Co. Cork.*

*Tel: (021) 4667689 Email: castlemartyrns@gmail.com  
Roll No: 13647B*

## **Grievance and Disciplinary Policy**

### **Introductory Statement:**

Scoil Íosaf's Board of Management (BOM) seeks to encourage and foster positive and respectful relationships among all members of the school community. However, the Board of Management (BOM) recognises that disagreements, conflicts and grievances may arise from time to time which necessitate the availability of clearly-stated procedures to be followed by all concerned with such matters. In addition, the BOM is mindful of its legal obligations in the management and support of all staff members and recognises the need for disciplinary procedures to guide it in its working with staff members.

### **Rationale:**

Various pieces of legislation including the Education Act, the Education Welfare Act, the Teaching Council Act, and Equality legislation among others, impose obligations and duties on Boards of Management to facilitate and encourage a school climate that fosters positive relationships among all members of the school community. In addition, various Department of Education and Skills' Circulars guide the BOM in the management of the various relationships that arise within the school context.

### **Relationship to the School Ethos:**

*"Scoil Íosaf is a co-educational, Catholic, primary school which strives to provide a well-ordered, caring, happy and secure atmosphere where the intellectual, spiritual, physical, moral and cultural needs of the pupils are identified and addressed."*

This policy seeks to support the development of this atmosphere in the school.

### **Procedures for Addressing Complaints against teachers:**

It is acknowledged that disagreements and/or complaints may arise from time to time. It is envisaged that all disputes/challenges should be addressed initially at a more informal level, usually involving contact and communication between parent(s) and teacher(s). Experience has shown that where a mutually respectful willingness among parent(s) and teacher(s) exists to discuss difficulties and to engage in a solution-driven approach to addressing such disputes/challenges, then the majority of such matters are resolved speedily and to the satisfaction of all involved.

Where a satisfactory resolution of the issues is not achieved at the more informal level, then parent(s) and/or teacher(s) may wish to pursue the matter further and involve themselves in a more formal approach to seek resolution of the matter.

**Please Note:**

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;
- (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 on Stage 1 of this procedure.

**Complains Procedure:**

1. **Introduction:** In the event that you, a parent / guardian, has a complaint against a teacher, teachers or Scoil Íósaf in general the following procedure should be followed: Note - The INTO (the Primary Teachers' Trade Union and primary management), CPSMA, have agreed this procedure for dealing with complaints.

The full procedure is set out in the Management Board Members' Handbook. This procedure has been put in place in order to ensure that complaints are dealt with in a fair manner.

This procedure as can help to resolve a complaint at an early and informal stage. Every effort should be made to resolve a complaint at the earliest possible stage. This agreement provides for a staged approach, the first two of which are informal.

**2. Staged Approach in resolving conflict:****Stage 1**

A parent/guardian should firstly raise the matter with the class teacher with a view to resolving it and if unresolved with the principal teacher. If still unresolved it should be raised with the Board of Management (BOM) Chairperson. The school should ensure that parents are informed periodically of the policy, particularly in relation to making an appointment to see the teacher. If the complaint is against the school principal, it should be raised firstly with the principal and if unresolved, with the BOM Chairperson. Any complaint at this stage can either be verbal or written.

**Stage 2**

If the complaint is unresolved at Stage 1, the complainant should raise the matter in writing with the BOM Chairperson who should try and resolve the matter informally within 5 working days. A note agreed among the parties involved should be kept of any meeting and its outcomes. The teacher should be given a copy of any written complaint.

**Stage 3**

If the complaint cannot be resolved informally, the Chairperson should give the teacher a copy of the written complaint and arrange a meeting within ten working

days with the teacher and where applicable, the principal teacher, with a view to resolving the complaint.

Stages 1-3 should be completed in advance of the BOM having sight of the details of the complaint.

#### **Stage 4**

If unresolved, the Chairperson should, within a further 10 working days, make a formal report to the BOM. If the BOM decides the complaint to be unsubstantiated the teacher and the complainant are informed within three working days of the BOM meeting. If the BOM considers the complaint substantiated or warranting further investigation the teacher is informed, supplied with a copy of any written evidence in support of the complaint and asked to supply a written statement to the BOM. The teacher should be given an opportunity to make a presentation to the BOM within ten working days and is entitled to be accompanied / assisted by a friend at this meeting, as is the complainant.

#### **Stage 5**

When the BOM has completed its investigation, the teacher and the complainant should, within five working days of the meeting, be informed of the final decision of the BOM including any outcomes and proposed action. The Department of Education & Skills advises that a complainant unhappy with the investigation/ handling of the complaint by a BOM may bring the matter to the attention of the school patron or refer the matter to the Office of the Ombudsman for Children. The underlying principles of this procedure are that all parties are entitled to a fair and impartial determination of any out-comes. Any person with a connection to one of the parties should not investigate or decide a case that would raise concerns regarding impartiality. BOM members should be reminded of obligations in respect of confidentiality. In the interest of fairness, the same procedure will apply when a teacher has a complaint against a Parent / Guardian.

**Note:** The vast majority of complaints are resolved locally and informally. However, in certain circumstances, for example, where a complaint is considered to be serious in nature, or where the teacher is required to submit a written response to his/her board of management, the teacher should contact his/her INTO District Representative or INTO Head Office for advice and assistance.

In advising a teacher, the INTO will be anxious to ensure that there is due process and fair procedures applied, which generally include:

- that the teacher 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, if necessary.

Where a teacher contacts the INTO in relation to a complaint(s) made against him/her, the officials involved will generally meet with the teacher and require him/her to provide detailed written information and documentation on the matter. The officials will assess the case and decide if additional specific legal advice or a legal consultation is required. Specific legal advice is obtained for members in accordance with the Rules of the INTO and the conditions prescribed by the CEC.

Taken from:

<https://www.into.ie/ROI/InfoforTeachers/ParentTeacherRelations/INTOManagementComplaintsProcedure/>

### **Complaints about teachers from pupils**

- If a complaint about a teacher comes from a pupil to another teacher, the teacher to whom the complaint is made will refer to the pupil's teacher. This teacher will then decide whether to deal with the matter her/himself or to refer it to the principal. In either case, the principal should be informed of the circumstances and a written record kept by both the teacher concerned and the principal.
- If the complaint about a teacher comes from a pupil to the principal, it will be listened to, notes taken and the pupil will be advised that the matter will be discussed with the teacher concerned with a view to resolving the issue. In either case, if the complaint is deemed by the principal, after investigation and discussion with both the pupil and teacher, to be wrong or vindictive on the part of the pupil, the parents or guardian of the pupil may be invited to the school to discuss the matter.

### **Complaints about the Principal – Made by parents or pupils**

- Complaints coming from parents or pupils will be dealt with directly by the principal in the first instance, in order to resolve the issue informally and amicably if possible.
- If the complainant is unhappy or feels that the complaint has been dealt with unfairly, the complaint may be outlined in writing to the Chairperson of the Board of Management and the procedure for addressing complaints against teachers outlined above is followed.

### **Role of the Teaching Council in addressing complaints against teachers**

The BOM is cognisant of the fact that Part 5 (Fitness to Teach) of the Teaching Council Acts 2001- 2015 has been commenced and this part of the Act relates to the Council's role in investigating complaints relating to registered teachers. In this context, it is important to note that existing, agreed procedures for dealing with difficulties and complaints at school level will continue to operate. The Council has stated its belief that, in most cases, these existing, agreed procedures will offer the best means for resolving problems as they arise. In this regard, the Council has stated that only complaints which are of a serious nature, relating to registered teachers, can progress to an inquiry. The BOM will facilitate the work of the Teaching Council in any investigation which may be warranted in fulfilling its legal obligations.

### **Complaints about Special Needs Assistants (SNAs)**

- Complaints coming from parents to the class teacher will be dealt with directly by the class teacher who will try to resolve the difficulty amicably.
- Similarly, complaints coming from parents to the principal will be dealt with directly by the class teacher who will try to resolve the difficulty amicably.
- Complaints about the SNA coming from the class teacher will be dealt with in the first instance by the teacher approaching the SNA with a view to resolving the issue. If the matter cannot be resolved satisfactorily, it will be brought to the principal.

### **Complaints about Pupils**

- Complaints made about pupils by other parents will be handled by the class teacher in the first instance and the principal if thought necessary, through the procedures set out in the Code of Behaviour and the Anti-Bullying Policy. Under no circumstances should a parent approach any child other than their own child in the school.
- Complaints made about pupils by other pupils will be handled by the teacher to whom the complaint is made in the first instance and by referring the matter to the principal if considered necessary.

### **Complaints about Parents**

- Teacher will try and resolve the issue with the parent one-on-one. If the issue is unresolved the teacher can refer the issue to the principal who will try to resolve the issue between the teacher and parent.

### **Complaints about Ancillary Staff**

- These will be referred to the principal who will approach the staff member directly in order to resolve the issue.

### **Complaints about substitute teachers and visiting teachers**

- These will be referred to the principal who will approach the teacher in question directly with a view to investigating and resolving the issue.

### **Complaints about visitors to the school**

- In the case of visitors to the school, (e.g. students on work experience, students on teaching practice, visiting members of other agencies) the complainant will refer the issue to the principal in the first instance
- If not resolved at this stage, the issue will be referred to the management body dealing with the worker with a view to resolving the issue.

### **Procedures for Suspension and Dismissal of Teachers and Principal Teachers:**

Section 24(3) Education Act 1998 states:

*(3) A board shall appoint teachers and other staff, who are to be paid from monies provided by the Oireachtas, and may suspend or dismiss such teachers and staff, in accordance with procedures agreed from time to time between the Minister, the patron, recognised school management organisations and any recognised trade union and staff association representing teachers or other staff as appropriate.*

Circular 60/2009 from the DES outlines the 'Revised Procedures for Suspension and Dismissal of Teachers and Principal Teachers'. The BOM will follow these procedures in the event that a situation arises meriting consideration of same.

### **Disciplinary and Grievance Procedures for Special Needs Assistants:**

The DES published Circular 72/2011 (Appendix 3 attached) which addresses the issue of 'Disciplinary and Grievance Procedures for Special Needs Assistants'. The BOM will follow these procedures in the event that a situation arises meriting consideration of same.

**Success Criteria:**

- The existence of a school climate that fosters positive relationships among all members of the school community.
- The existence of a school ethos that suggests general contentedness and satisfaction among all members of the school community in terms of communications, interactions and general relations.
- The existence of general support and acceptance of the Board's procedures in this area from staff, parents and pupils.
- Feedback received from the different members of the school community.
- The successful resolution of any difficulties or challenges that arise within the school environment.

**Review:**

This policy will be reviewed periodically by the BOM as deemed necessary.

**Ratification and Implementation:**

The initial draft of this policy was circulated to all staff and members to the Board of Management and comment was invited.

All feedback received was considered and the draft policy was reviewed in light of this feedback. A finalised Policy was issued to the Board of Management for its review and approval.

The Policy was reviewed and ratified by the Board of Management at its meeting on 10/11/22.

The Policy was then made available on the school website to all staff, BOM members and wider school community.

**Signed:**

*Chairperson, Board of Management.*



*Principal, Secretary of Board of Management*

**Dated:** 10<sup>th</sup> November 2022