

BURROW NATIONAL SCHOOL COMPLAINTS **PROCEDURE**

The following is a procedure for dealing with complaints by parents against any member of the school staff. The purpose of this 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. Please note this is a non-statutory procedure.

Only those complaints about members of staff which are written and signed by parents/guardians of pupils may be investigated by the board of management, except where those complaints are deemed by the board to be:

- on matters of professional competence and which are to be referred to the Department of Education and Skills;
- frivolous or vexatious complaints and complaints which do not impinge on the work of a staff member in a school; or
- 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. i) A parent/guardian who wishes to make a complaint against a member of staff should, unless there are local arrangements to the contrary, arrange to meet with that member of staff with a view to resolving the complaint.
2. Where the parent/guardian is unable to resolve the complaint with the staff member, s/he should approach the principal with a view to resolving it.
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

1. If the complaint is still unresolved and the parent/guardian wishes to pursue the matter further s/he should lodge the complaint in writing with the chairperson of the board of management.
2. The chairperson should bring the precise nature of the written complaint to the notice of the staff member and seek to resolve the matter between the parties within five days of receipt of the written complaint.

Stage 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 staff member with a copy of the written complaint; and
- b) arrange a meeting with the staff member with a view to resolving the complaint. Such a meeting should take place within 10 days of receipt of the written complaint.

Stage 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.
2. If the board considers that the complaint is not substantiated the staff member/principal and the complainant should be informed within three days of the board meeting.
3. If the board considers that the complaint is substantiated or that it warrants further investigation it proceeds as follows:
 - a) the staff member should be informed that the investigation is proceeding to the next stage;
 - b) the staff member should be supplied with a copy of any written evidence in support of the complaint;
 - c) the staff member should be requested to supply a written statement to the board in response to the complaint;
 - c) the staff member should be afforded an opportunity to make a presentation of case to the board. The staff member/principal would be entitled to be accompanied and assisted by a friend at any such meeting;
 - d) 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
 - e) 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(b).

Stage 5

1. When the board has completed its investigation, the chairperson should convey the decision of the board in writing to the staff member and the complainant within five days of the meeting of the board.
2. The decision of the board shall be final.
3. The Complaints Procedure shall be reviewed after three years.
4. Primary School Management 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 school days.

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 staff member is required to submit a written response to his/her board of management, the staff member should contact his/her INTO District Representative or INTO Head Office for advice and assistance.

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

- that the 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, if necessary.

Where a staff member contacts the INTO in relation to a complaint(s) made against him/her, the officials involved will generally meet with the staff member 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.

Updated October 2016