

	Name:	Complaints Procedure
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#### Introduction:

The CPSMA and the INTO 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, cordial and fair manner.

Only those issues about teachers, that are written and signed by parents / guardians of pupils, may be investigated formally by Board of Management, except where those issues are deemed by the Board to be:

1. On matters of professional competence which are to be referred to the Department of Education & Skills.
2. Frivolous or vexatious complaints and complaints which do not impinge on the work of a teacher in school.
3. Issues in which either party has recourse to law or to another existing procedure.

Unwritten issues not in the above categories may be processed informally as set out in Stage 1 of this procedure.

#### Stage 1:

- 1.1 A parent or guardian who wishes to make a complaint must telephone the school to make an appointment with the class teacher with a view to resolving the matter. Principal / Deputy Principal will, if possible, be present. When making the appointment, parents / guardians must state who is attending, a general description of the issue, and, if 2 parents are attending, the teacher must have another staff member or Principal / Dep. Principal present. Where the meeting is one parent / one teacher– the teacher takes notes. 2 parents, 2 teachers, the second teacher takes notes.
- 1.2 Where the parent / guardian is unable to resolve the issue with the class teacher she /he should make an appointment to speak with the Principal Teacher with a view to resolving the issue.
- 1.3 If the issue is still unresolved the parent / guardian should raise the matter with the Chairperson of the Board of Management with a view to resolving it by making an appointment to speak to the Chairperson and Principal.

#### Stage 2:

- 2.1 If, after speaking to the Chairperson of the Board of Management, the issue is still unresolved and the parent / guardian wishes to pursue the matter further, she/he should lodge a complaint in writing with the Chairperson of the Board of Management.
- 2.2 The Chairperson should, subject to the general authorisation of the Board and except in those cases where he/she deems the particular authorisation of the Board to be required:
  - a) furnish 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 within 10 days of receipt of the written complaint.

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#### Stage 3:

- 3.1: If the issue/complaint is still not resolved the Chairperson should make a formal report to the Board within 10 days of the meeting referred to in 2.2(b).
- 3.2: If the Board considers that the complaint is not substantiated the teacher and the complainant should be so informed within 3 days of the Board meeting.
- 3.3: 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 to the Board in defence of their position. The teacher would be entitled to be accompanied and assisted by an advisor 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 an advisor at any such meeting.
  - d) 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 2.2(b).

#### Stage 4:

- 4.1 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 5 days of the meeting of the Board.
- 4.2 The decision of the Board shall be final.
- 4.3 CPSMA and / or INTO may withdraw from this agreement having given the other party 3 months' notice of intention to do so.
- 4.4 This policy on 'Complaints Procedure' shall be reviewed after three years.

Note: throughout this procedure, 'days' means school days.

#### **Appealing to the Ombudsman for Children:**

In accordance with the Ombudsman for Children Act 2002, the Office of the Ombudsman for Children provides an independent and impartial complaint handling service. Under section 9 of the Act, the Ombudsman for Children can investigate complaints relating to the administrative actions of a school recognised by the Department of Education and Skills **provided the complainant has firstly and fully followed the school's complaints procedures**. The key criterion for any intervention by the Ombudsman for Children is that the action complained of has or may have adversely affected the child. More information about the Ombudsman for Children can be obtained on [www.oco.ie](http://www.oco.ie) or by contacting them at: E-mail:[oco@oco.ie](mailto:oco@oco.ie).

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