

MONEYSTOWN NATIONAL SCHOOL



COMPLAINTS PROCEDURE POLICY

2024

Introductory Statement

This policy was ratified by the Board of Management in 2017 to outline the complaints procedures for Moneystown National School it was reviewed in May 2020. Most recently it was reviewed in October 2024.

Rationale:

As a school community, we are committed to upholding the ethos of our school, our school mission statement and our vision for the school in all our dealings with pupils, parents, one another and with the wider school community.

This policy will be implemented in a spirit of mutual respect and tolerance for the benefit of all stakeholders and will be implemented alongside other relevant school policies (e.g. Child Protection Statement, Substance Use Policy, Anti Bullying / Harassment Policy, Code of Behaviour etc), DES circulars and guidelines and The Teaching Council's Code of Conduct.

At all stages of the implementation of this policy and our complaints procedures, all parties entitled to –

- confidentiality and right to privacy.
- Due process and a right of reply
- The matter to be dealt with in a timely manner
- The right to appeal decisions made

This policy deals primarily with minor complaints and does not apply to more serious complaints in relation to actions or decisions by schools on allegations of child protection, suspensions, permanent exclusions, refusals to enroll and those complaints relating to decisions which may be perceived as discriminatory against a child. DES guidelines and the Teaching Council's procedures will be used in these instances.

Code of Professional Conduct:

In maintaining a professional standard of conduct the teachers of Moneystown National School will by their behaviour, interactions and attitudes reduce the need for formal complaints by others. This policy

recognizes that all registered teachers are required to abide by the Code of Professional Conduct as detailed by the Teaching Council -

<https://www.teachingcouncil.ie/en/Fitness-to-Teach/Updated-Code-of-Professional-Conduct/>

The Principal keeps an up to date record of all teachers' Teaching Council membership to ensure the highest standards of professional conduct in Moneystown NS.

Code of Behaviour:

In adhering to the school Code of Behaviour, pupils will reduce the need for a complaints procedure to resolve disputes or issues.

Parental Involvement:

The school actively encourages parents to be involved in their child's learning and development in school. By respecting the school policies and practices, parents can also promote positive resolutions to complaints and issues with others.

Contents:

This policy seeks to outline our approach to dealing with the following:

- Telephone complaints
- Complaints about the Principal
- Complaints about Teachers, made by parents/ other complainants
- Serious Criminal/misconduct Complaints
- Complaints about teachers from Pupils
- Complaints about Special Needs Assistants (SNAs)
- Complaints about Pupils
- Co Complaints about Ancillary Staff
- Complaints about Parents
- Complaints about substitute teachers and peripatetic teachers
- Complaints about visitors to the school
- Internal Conflict
- Complaints about a Department of Education and Skills Inspector

Telephone complaints

Complaints received by phone will be referred to the Principal who in turn will liaise with the relevant staff member / relevant person to resolve the matter. If answered by personnel other than the Principal, these complaints will be dealt with by asking for the name of the complainant, his/her relationship to the school and what the call is in connection with, before passing these details on to the principal. No further details

will be sought, nor will the complainant be engaged with over the phone, except by the Principal. The principal will decide on a case by case basis, whether to talk to the complainant immediately or to investigate the matter first.

Complaints about the Principal – Made by parents, pupils or other complainants

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. The complainant will be informed of this option when dealing initially with the Principal to resolve the issue.

Complaints about Teachers – Made by parents / other complainants

Complaints made about teachers will be initially addressed by the teacher, Principal and management of the School to find an amicable resolution for all parties. The relevant school policies and procedures will be used to inform this process and a record of all complaints, meetings and agreed actions will be kept by the Principal.

The Complaints Procedure outlined in the 'Management Board Members' Handbook' which has been agreed between the INTO and the CPSMA will be followed in relation to complaints about teachers made by parents (Appendix 1).

It is important to note the following during the initial stages of the complaints procedure:

- It is expected that under normal circumstances, a complainant who has a complaint about a teacher would approach the teacher at a mutually suitable time with a view to resolving the difficulty
- If the class teacher is by-passed by the complainant, in favour of discussing the complaint with the principal, it will be suggested that the teacher should be approached first. However, if the principal feels that this would be unwise, the complaint will be listened to without prejudice, notes taken and the complainant will be asked to return when the teacher has been given an opportunity to present his/her views on the issues to the principal
- The principal, having listened to both sides, will try to bring the issue to a satisfactory conclusion
- Complainants are required to make an appointment to see the class teacher to discuss a complaint. Complainants are not permitted to discuss a complaint while a teacher is teaching / supervising without prior appointment, in view of the fact that classes must have adequate supervision at all times and that corridors are unsuitable venues for complaint discussion purposes.
- Teachers are not expected to have to deal with an angry, aggressive, threatening, intimidating or otherwise abusive complainant. The support of the principal, of if unavailable, deputy principal or colleague should be sought in these circumstances
- Each room is supplied with a 'Response Card' to be sent to any one of the above should support be needed

- In the interest of teachers' personal safety, complainants presenting with a complaint under the influence of drugs or alcohol, should not be engaged with and the teacher should refer to the Substance Use Policy for guidance.
- Teachers should retain a written record of any altercation which arises with a complainant during which the teacher is threatened, shouted at or otherwise abused. A copy of this record should be given to the principal also.
- If a complaint cannot be resolved with the class teacher, complainants may bring the matter to the principal.

Serious criminal / misconduct Complaints:

In the case of suspected serious criminal acts or misconduct, a complainant can refer the matter directly to the Teaching Council for advice.

- Complaints procedures in relation to registered teachers can be made to the Teaching Council <https://www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Making-a-Complaint/>
- The commencement date of Part 5 of the Teaching Council Acts 2001-2015 was 25 July 2016 and the Teaching Council can generally only consider complaints where the matters complained about took place on or after 25 July 2016. For complaints relating to professional misconduct and where the **events took place before 25 July 2016**, the Investigating Committee can only decide to proceed to consider and investigate the complaint in **exceptional circumstances**.
- The Committee is only entitled to proceed where it believes that:
 - a) The conduct complained of is conduct that, if proven, would have constituted a criminal offence at the time that it occurred, **and**
 - b) The conduct is of such a nature as to reasonably give rise to a bona fide concern that a child or vulnerable person may be physically, sexually or emotionally exploited or abused.
- A teacher will be informed if a complaint is made about them and can also access information and guidance on the process from the Teaching Council. <https://www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Information-for-Teachers/>

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 and the Principal. The Principal should be fully informed of the circumstances and a written record kept by both the teacher concerned and the Principal.
- All relevant school policies, DES guidelines and the Teaching Council's Code of Professional Conduct should be referred to in dealing with a complaint about a teacher by a pupil.

- If the complaint about a teacher comes from a pupil, it will be listened to, notes taken and the pupil will be advised that the Principal will deal appropriately with matter (e.g. liaise with teacher to resolve, facilitate a meeting with all parties to resolve, report to TUSLA, report to Teaching Council etc).
- Parents will be communicated with when such a complaint arises from the pupil.

Complaints about Special Needs Assistants (SNAs):

- Complaints coming from parents will be dealt with directly by the Principal 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 the SNA coming from pupils will be dealt with directly by the Principal who will be guided by relevant school policies and DES guidelines while investigating the matter.
- A record of all complaints will be recorded by the Principal along with the actions taken to resolve the matter.

Complaints about pupils

- Complaints made about pupils will be handled by the class teacher in the first instance through the procedures set out in the Code of Behaviour and the Anti-Bullying Policy. Under no circumstances will a parent / other adult be allowed access to a child, other than their own child, in the school to resolve a complaint. The Principal will be informed about any situation in this regard. A record of all complaints, actions and resolutions should be recorded on Aladdin by the class teacher dealing with the matter.
- Complaints made about pupils by other pupils will be handled by the teacher using the Code of Behaviour, Anti Bullying Policy, school Motto of *Kind Words / Hands / Feet* etc. A record of the complaint and teacher response will be recorded on Aladdin. If any party feels that the issue is unsatisfactorily resolved the matter can be referred to the Principal. Restorative practice and rebuilding relationships will form the initial response for all complaints procedures between pupils.
- Any complaints that are deemed to be of a serious nature, going beyond the normal interactions between children in the course of a school day, will be reported to the parents of both pupils involved and a record kept on Aladdin.

Complaints about Parents

- Teachers will follow the Complaints Procedure (Appendix 1) by referring the complaint to the Principal in the first instance. If the teacher is unhappy about the Principal's response or recommendation, Stage 2 of the Complaints Procedure may be invoked.

Complaints about Ancillary Staff

- These will be referred to the principal who will approach the staff member directly in order to resolve the issue.
- The Principal will refer to all relevant school policies, DES guidelines and the Teaching Council to resolve complaints.

Complaints about substitute teachers and peripatetic 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.
- The Principal will refer to all relevant school policies, DES guidelines and the Teaching Council to resolve complaints.

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.
- The Principal will refer to all relevant school policies, DES guidelines and the Teaching Council to resolve complaints.

Internal Conflict issues

In keeping with the mission and ethos of the school, staff members will seek to resolve internal conflict issues amicably between those concerned. However, if this process fails:

- The Principal will liaise with both parties to facilitate an amicable resolution in an atmosphere of mutual respect. Again, restorative practice and rebuilding of relationships will underpin this initial response.
- If this internal intervention by the Principal does not result in a satisfactory resolution, the Principal will seek support from professional bodies (e.g. INTO, CPSMA, Teaching Council etc).
- The INTO staff representative may act as liaison between staff members or between staff and management in instances where internal efforts have not reached satisfactory conclusions for all parties.
- During all conflict resolution procedures, the issue will be named and communication will be facilitated with all parties involved and everyone involved will be listened to and respected.
- An early intervention in relation to internal conflict issues will be facilitated as far as possible.
- All parties are expected to engage meaningfully, professionally and with integrity to work towards a genuine resolution of the conflict and move on to carry out their work in a professional manner.

- If necessary, an independent facilitator may be engaged to help resolve the conflict.
- If the issue is not resolved, grievance procedures may be followed.

Complaints about a Department of Education and Skills Inspector

In the case of complaints against a school inspector, the guidelines established by the INTO in the publication: 'Procedures for Review of Inspections' and the Department of Education and Science 'Comments and Complaints' guidelines will be followed.

As stated in the guidelines, any complaint will be issued and conveyed to the Inspectorate on the day in question or by the end of the following day.

Roles and Responsibilities:

All stakeholders involved in the education of pupils will take responsibility for implementing the policy.

Review:

The Policy will be evaluated on an ongoing basis by representatives from the whole school community and will be reviewed every three years.

Ratification and Communication

This Policy was ratified by the Board of Management on March 28th 2017 and most recently reviewed in October 2024.

John Byrne

Chairperson of the Board of Management

Anne – Marie Morris

Principal

References:

DES:

<https://www.education.ie/en/Parents/Information/Complaints-Bullying-Child-Protection-Discrimination/Complaints-Procedures.pdf>

Teaching Council:

<https://www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Making-a-Complaint/>

<https://www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Information-for-Teachers/>

INTO:

<https://www.into.ie/help-advice/staff-parent-relations/into-management-complaints-procedure/>

Appendix 1

The INTO and Primary School Management reached agreement in 1993 on a procedure for dealing with complaints by parents against teachers. 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 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:

- 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 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.

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

INTO & CPSMA Agreed Complaints Procedure

[Parental-Complaints-Procedure-2024.pdf](#)

Stage 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.
2. Where the parent/guardian is unable to resolve the complaint with the class teacher 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 teacher 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 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

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(b).
2. If the board considers that the complaint is not substantiated the teacher and the complainant should be so 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 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; c) 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; 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 teacher 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 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 apprised 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.