Rathdown School

Procedures for dealing with Parental Complaints about Teachers

Introduction

Procedures are necessary to ensure fair treatment for all in the school and acceptable procedures should be known, agreed, and observed in the interest of good industrial relations and harmony in the school environment. Throughout the procedures outlined below all communication between the teacher and parent [1] and/or student [2] must take place in an atmosphere that is calm, dignified and in a climate that respects the viewpoint of any party involved in the Complaints Procedure.

In the interest to all parties to the complaint, the Board of Management will endeavour to ensure that a speedy resolution is secured to the complaints process.

Purpose of this Complaints Procedure

- To provide a fair, consistent and equitable mechanism for processing complaints against teachers.
- To do so in a manner that affords all concerned full rights in accordance with natural justice.
- To outline the procedures, which should be followed by all - Board of Management, teachers, parents and students and/or their representatives - in the event of complaints being made against teachers.

Exclusions

Complaints shall be excluded from the scope of this procedure when they are deemed by the Principal or Board of Management to be:

(i) On matters of professional competence which cannot be dealt with at school level and which may be referred to the Department of Education for investigation. The Complainant to be informed of any such decision;

(ii) Frivolous, vexatious or anonymous complaints or complaints which do not impinge on the work of a teacher in a school;

[1] For the purposes of this document, the word "parent" shall be taken to refer also to "guardian" where appropriate.

[2] A student who has reached the age of 18 may take a complaint in their own name, or may be named as part of their parent's complaint. For the purposes of this document, the word "student" shall refer to a student who has reached the age of 18.

(iii) Complaints in which either party has had recourse to law or to another standard procedure.

Procedures

(a) Verbal complaints may be processed informally through Stage 1 of the procedure. Where the complaint is made in writing initially, the complaint should be processed through Stage 1 but a copy of the complaint should be given to the teacher at Stage 1.

(b) Only those complaints which are written and signed by the complainants may be investigated through Stages 3 and 4 of these procedures.

(c) The complainant shall be informed if the complaint is amenable to resolution within the terms of these procedures and, if not, the reasons for this decision.

Stage 1

1.1 A parent who wishes to make a complaint should, unless there is good and sufficient reason, in the first instance make an appointment to discuss the matter with the teacher concerned, with a view to resolving the complaint. A student who wishes to make a complaint should in the first instance lodge the complaint through the existing agreed pastoral care structures in the school.

1.2 If the parent or teacher is unable to resolve the complaint with the teacher, she/he should approach the Principal with a view to resolving it.

It is envisaged that most complaints received under Stage 1 will be resolved to the satisfaction of both parties to the complaint.

Stage 2

2.1 A parent/student who is unable to resolve the complaint at Stage 1 may seek an appointment to report and discuss the matter with the Principal.

The Principal will arrange a meeting with a view to resolving the complaint. In some instances and where deemed appropriate by the parent and the teacher it may be necessary for the parent, teacher and the Principal to meet with a view to resolving the complaint. Such a meeting will take place within a maximum of seven days. Both parties to the complaint may be accompanied at such a meeting by a trade union representative or a friend/colleague.

2.2 Following the consultation process with both parties to the complaint, the Principal will communicate the outcome verbally to both parties.

2.3 If after Stages 2.1 and 2.2 the complaint is still unresolved, the parent/student should be advised that they may raise the matter formally with the Board of Management as set out at Stage 3 with a view to resolving it.

2.4 In the case of a complaint against a Principal, the parent/student should discuss the complaint with the Principal, who may be accompanied by a union representative or colleague in the first instance. If the parent/student is unable to resolve the complaint with the Principal, the complaint may be processed as provided for at Stages 3 and 4 of this procedure.

It is envisaged that the overwhelming majority of complaints will be resolved at either Stages 1 and 2.

Stage 3

3.1 If the issue is not resolved at Stage 1 or 2 then the parent/student should lodge the complaint in writing with the Secretary of the Board of Management. If the Secretary to the Board of Management is the subject of the complaint, then correspondence in this instance should be addressed to the Chairperson, Board of Management

3.2 The Board of Management will formally acknowledge receipt of the complaint, note it formally and appoint a member of the Board of Management and the Principal to deal with the matter. Any member of the Board of Management to whom a complaint refers shall be excluded from discussion/decision of the Board of Management on the matter.

3.3 The appointed representatives (if Principal is the subject of the complaint then two Board of Management representatives) must, subject to the general authorisation of the Board of Management:-

(a) supply the teacher with a copy of the written complaint, and a copy of all other written evidence submitted by the parent/student.

(b) supply the parent/student with copy of all written documentation concerning the complaint received by the Principal from the teacher or report written by the school Principal following his/her investigation at Stage 2.2.

3.4 The duly authorised representatives of the Board of Management should convey the outcome of any discussions / investigation, in writing, to the teacher, complainant and the Board of Management and indicate whether or not the matter has been resolved to the satisfaction of all parties.

3.5 If the complaint has not been resolved at this stage and the complainant wishes to proceed to Stage 4 she/he shall indicate this in writing to the Board of Management within a maximum of ten school days of receipt of the letter referred to in 3.4.

Stage 4

4.1 If the Board of Management considers the complaint is not substantiated, the teacher and the complainant should be so informed within three days of the Board of Management meeting.

4.2 If the Board of Management considers that the complaint warrants further investigation, it shall proceed as follows:

(a) both parties to the complaint shall be informed that the investigation is proceeding to the next stage;

(b) both parties to the complaint shall be supplied with a copy of all written evidence relevant to the complaint;

(c) the teacher shall be requested to supply a written statement to the Board of Management in response to the complaint;

(d) both parties to the complaint shall be afforded an opportunity to make formal presentations of their case/position to the Board of Management. Both parties to the complaint will be entitled to be accompanied and assisted by a friend/colleague (non-legal) or trade union representative at any such meeting,

(e) the meeting/hearing of the Board of Management referred to in 4.2(d) will take place within a maximum of eleven school days of the meeting referred to in 2.2.

4.3 When the Board of Management has completed its investigation, the decision of the Board of Management shall be conveyed in writing to the teacher and the complainant within five school days of the decision being taken. The Board will also outline how its decision is to impact on the student.

A member(s) of the Board of Management who has acted as an authorized representative(s) of the Board of Management in the investigation of the complaint should not participate in the decisions of the Board of Management relating to the application of any disciplinary action.

4.4 The decision of the Board of Management shall be final subject to section 4.5.

4.5. In the event of the complaint being upheld, the teacher will have recourse to trade union and management agreements, where they exist, but all disciplinary procedures undertaken by the Board of Management will proceed in accordance with the principles of natural justice.

4.6. If disciplinary action is to be initiated against a teacher after stage 4.4 it will be effected in accordance with procedures agreed between JMB, ASTI, TUI and the DES.

4.7 Where the complaint lodged is proved to be groundless, then all correspondence relating to complaint should be removed from the teacher's file except for a statement of the complaints and outcome of the investigation.

If the complaint is upheld then the relevant file may be removed from the school records following agreement between all the parties involved.

Notes

(i) In this procedure a school day means a day on which the school is in operation.

(ii) At all stages of the Complaints Procedure a written record should be kept of

(a) the investigation undertaken;

(b) communications to Board of Management/Parent/Guardian or a Student (who has reached the age of 18 years) and Teacher, and

(c) the steps and /or decision taken.

Copies of this written record may be made available for inspection to the complainant and to the teacher concerned.

(iii) These Complaints Procedures may be reviewed in light of ongoing nationally-negotiated measures put in place by the Department of Education & Skills, management bodies and/or teacher unions.

Approved by the Board of Management: 11th March 2025