Grievance Policy

2025 - 2026

Principal: Tony Riley **August' 2025- June' 2026** **Roll Number: 17479D**

Grievance Policy – Scoil Mhuire Lacken

Grievance (Complaints) Procedure for Parents

Only those complaints about teachers which are written and signed by parents/guardians of pupils may be investigated formally by the Board of Management. Unwritten complaints may be processed informally as set out in Stage 1 of this procedure. Where a complaint relates to a child protection concern, it will not be dealt with under this procedure but will be referred immediately to the school's Designated Liaison Person (DLP) in accordance with the school's Child Safeguarding Statement and the procedures outlined in *Children First: National Guidance for the Protection and Welfare of Children*.

Stage 1

1. A parent/guardian who wishes to make a complaint should make an appointment with the class teacher, through the school office, with a view to resolving the complaint. The nature of the complaint should be briefly, but clearly, stated in advance, either verbally or in writing to the teacher. Both parties may request to have another adult with them (member of staff).

   Any parent approaching the Principal with a complaint will be reminded that it is more appropriate to discuss and hopefully resolve the issue with the class teacher in the first instance.
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. An appointment should be arranged through the office, briefly, but clearly outlining the nature of the complaint.
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.

Stage 3

1. If the complaint is not resolved informally, the Chairperson should, subject to the general authorisation of the Board of Management,
    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.

Stage 4

1. If the complaint is still not resolved the Chairperson should make a formal report to the Board of Management
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;
    d) 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;
    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 a friend at any such meeting.

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 as soon as possible.
2. The decision of the Board shall be final.

Grievance (Complaints) Procedure for Staff

Teachers

The following procedure for handling grievances in schools has been agreed between the INTO and the CPSMA. The purpose of this procedure is to provide a mechanism for the resolution of a grievance which a teacher in a national school, including a Principal Teacher, has against:

1. the Board of Management in respect of the exercise of any of its responsibilities for the governance of the school; or
2. the Chairperson of the Board in an individual capacity; or
3. the Principal Teacher in respect of his/her duties and responsibilities for the organisation, conduct and day to day activities of the school.

The grievance procedure shall generally relate to breaches of school rules, policies, procedures or practices. The grievance procedure shall not deal with curricular matters.

If a grievance, which concerns a matter covered by the Employment Equality Act (1998) or other relevant legislation, is referred to the Director of Equality Investigations or the Labour Court, this procedure shall not be used. Such a referral would serve to terminate the grievance procedure.

Stage 1: The Principal

1. The aggrieved teacher shall give notice in writing to the Principal that the grievance procedure is being invoked.
2. The teacher shall discuss the grievance with the Principal Teacher with a view to resolving it.
3. If the grievance is not resolved within ten school days, the teacher shall be entitled to invoke stage 2, within a further ten school days.

Stage 2: The Chairperson

1. The aggrieved teacher shall give notice in writing to the Principal and Chairperson of the Board of Management that stage 2 of the grievance procedure is being invoked.
2. The teacher shall discuss the grievance with the Chairperson of the Board with a view to resolving it.
3. The Chairperson shall immediately take such steps as she/he considers appropriate to have the grievance resolved informally.

4. If the grievance is not resolved within ten school days the teacher shall be entitled to invoke stage 3, within a further ten school days.

Stage 3: The Board of Management

1. The aggrieved teacher shall give notice in writing to the Chairperson of the Board of management that stage 3 of the grievance procedure is being invoked.
2. The teacher shall make a written submission which shall include the details of the grievance(s) and the redress being sought. The submission shall be presented to the Chairperson for consideration by the Board of Management.
3. The normal rules of due process shall apply to the exchange of documentation, and accordingly, the Chairperson shall copy the submission to the person against whom the grievance is being taken.
4. Where the grievance involves the Principal Teacher, she/he shall be requested by the Chairperson to prepare a written response to the submission. The written response shall address all of the points made in the aggrieved teachers' submission and shall be furnished to the aggrieved teacher(s) within 10 school days of the date of the written submission. Similarly, where the grievance is against the Chairperson of the Board of Management or the Board itself, the aggrieved teacher shall be entitled to a written response from the Chairperson of the Board, as the case may be. Such response shall also be furnished within 10 school days.
5. The Chairperson shall invite the aggrieved teacher to be in attendance at a hearing of the board, which shall be held within ten school days of the date of the written response. The hearing shall afford each party an opportunity to hear at first hand, what the other party has to say and also to question and/or respond to the other party.
6. In circumstances, where the grievance is against the Principal Teacher, he/she shall attend at the board hearing in an individual capacity and not as a member of the board of management. Similarly, where the grievance is against the Chairperson of the Board of Management (in an individual capacity) he/she shall also attend at the board hearing in an individual capacity and an acting Chairperson shall be appointed. Further, the Principal Teacher or the Chairperson, as the case may be, shall withdraw from the board's deliberations and decision making on the matter.
7. Where appropriate, the parties shall be entitled to bring witnesses. The same principles of due process apply to hearing witnesses.
8. The Board shall try to resolve the grievance by conciliation and if the grievance is resolved the matter is concluded. If the Board is unable to resolve the grievance by conciliation it shall make a decision on the matter, except as provided under paragraph 9 below.

9. In cases where the grievance is against the board itself, the board shall hear the grievance as outlined above, shall try to resolve the matter by conciliation, but failing resolution, the matter may proceed to Stage 4 in accordance with the provisions of paragraph 11 below .
10. The Chairperson shall convey the outcome in writing to the parties within 5 school days of the hearing specified at stage 3 / paragraph 5 above.
11. The teacher shall have the right to invoke stage 4 of the procedure:
    - if the board fails to give a hearing to the aggrieved teacher;
    - if the Chairperson fails to convey the outcome of the hearing within the specified period; or
    - if the teacher is unwilling to accept the outcome of stage 3.

Stage 4: An independent tribunal

1. The teacher who wishes to proceed with an appeal to stage 4 shall give notice of same, by letter, to the Chairperson of the Board of Management, within ten school days of receiving the written outcome of stage 3 (or at the end of the period specified in stage 3 / no. 5, if the board fails to arrange a hearing). The date of that letter shall be referred to as the "date of appeal" and the teacher may include, in the letter, any additional arguments he/she wishes to put forward.
2. On receipt of the letter of appeal, the Chairperson of the Board of Management shall notify the patron (or a designated representative of the patron) and the General Secretary of the INTO (or a designated representative of the INTO) and invite these parties:
    - to select an agreed independent person to act as Chairperson of a tribunal;
    - each to appoint a person who is not associated with the school to serve on the tribunal;
    - to arrange a meeting of the tribunal within 15 school days of the date of appeal.

3. The Chairperson of the Board of Management shall also furnish each member of the tribunal, prior to its first meeting:

    - with a report on the proceedings at each of the previous stages;
    - a copy of the aggrieved teacher's letter of appeal;
    - a copy of the aggrieved teacher's submission;
    - a copy of any written response;
    - any other relevant documentation.

4. The tribunal shall arrange a hearing(s) for the parties and shall ensure that the normal rules of due process and fair procedures apply, which include:

- that the parties shall be given reasonable notice of the hearing by the tribunal. When notifying parties of the date of the hearing(s), the tribunal should indicate to the parties concerned that in the event of failure to appear, without reasonable cause, the tribunal may proceed to decide the case if considered appropriate;
- that each party shall be afforded an opportunity to access and respond to relevant documentation, including the letter of appeal;
- that the parties shall have an opportunity to hear at first hand, what each has to say and also to question or respond to the other party through the chairperson of the tribunal;
- that witnesses may attend as appropriate; that the tribunal itself, shall be entitled to question each party or seek further information;
- that where appropriate, the tribunal shall afford each party an opportunity to provide further information, on the clear understanding, that the other party shall have an opportunity to access and respond to same; and
- that if necessary, the tribunal shall agree to adjournments.

5. The tribunal shall be considered a domestic forum and accordingly, neither management nor the INTO intends that there would be legal representation at any hearings.

6. The tribunal shall be empowered to conciliate with a view to reaching a friendly settlement.

7. Failing such a settlement the tribunal shall determine the issue by unanimous or majority vote.

8. The tribunal's decision shall be conveyed in writing by the chairperson of the tribunal to all the parties and shall be final and binding.

Please note that any expenses involved in stage 4 will be shared by the parties who nominate the tribunal provided that prior sanction for same has been obtained from INTO and the relevant management body.

Notes

1. *Until such time as the dispute is resolved or determined the aggrieved teacher shall continue to carry out the legitimate instructions of the Principal Teacher or the Board of Management as the case may be.*
2. *The grievance procedure shall also apply where two or more teachers share a grievance.*
3. *Where a Principal Teacher, or a Principal Teacher and one or more other teachers, share a grievance, stages 2, 3 and 4 of the procedure shall apply.*

4. *Where the grievance is against an individual Chairperson or the Board of Management itself, stages 2, 3 and 4 of the procedure shall apply.*
5. *An aggrieved teacher(s) may be represented at stages 3 and 4 by the INTO staff representative or by a branch or district committee member or by a teacher colleague.*
6. *Any difficulty arising out of the implementation of this procedure shall be referred for resolution to the parties to this agreement.*

SNAs & Ancillary Staff

A Special Needs Assistant or a member of ancillary staff should follow the procedure as outlined in Stages 1, 2 and 3 above.

Thereafter, the staff member may seek external advice / support from an employment union, or another body.

Disciplinary & Grievance Procedures

Teachers

The procedures for Boards of Management in relation to the suspension or dismissal of teachers are available on the Department of Education & Skills website, www.education.ie

- **Circular 0049/2018 Primary/Post-Primary Procedures**

Boards of Management and Principals have a responsibility for the quality and effectiveness of education and the management of staff in a school as set out in the Education Act 1998. The agreed disciplinary procedures provide for two separate and independent strands which should be utilised in appropriate circumstances:

- Procedures relating to professional competence issues.
- Procedures relating to work conduct and matters other than professional competence.

Apart from considerations of equity and justice, the maintenance of a good industrial relations atmosphere at workplace level requires that acceptable procedures be in place and be observed. Disciplinary procedures are necessary to ensure both that discipline is maintained in the workplace and that disciplinary measures can be applied in a fair and consistent manner.

Every teacher is personally accountable for his/her own behaviour and work performance. Early intervention at the appropriate level to address perceived inappropriate behaviour is desirable for all parties so as to minimise the risk of having to escalate sanctions as provided for in these procedures.

There is a comprehensive 5 stage process involved in any disciplinary procedures taken against any teacher. A clear and precise description of each stage of the process can be found in the aforementioned circular 0049/2018.

Every effort will be made by the Principal to address alleged or perceived shortcomings in work and conduct through informal means without invoking the formal disciplinary procedure.

An appeal must be made by the Principal or teacher, against whom the disciplinary action is to be taken, within 10 school days of receiving the notification of the decision. The procedures are fully listed in the above-mentioned circular.

Principal

The following agreed procedures provide for two separate and independent strands for Principals which should be utilised in appropriate circumstances:

- Procedures relating to professional competence issues in their role as teacher.
- Procedures relating to work and conduct issues in their role as Principal.

Every Principal is personally accountable for his/her own behaviour and work performance. Early intervention at the appropriate level to address perceived inappropriate behaviour is desirable for all parties so as to minimise the risk of having to escalate sanctions as provided for in these procedures. Every effort will be made by the employer to address alleged or perceived shortcomings in work and conduct through informal means without invoking the formal disciplinary procedure.

There is a comprehensive 5 stage process involved in any disciplinary procedures taken against any teacher. A clear and precise description of each stage of the process can be found in the aforementioned circular 0049/2018.

Special Needs Assistants

Disciplinary and Grievance procedures for Special Needs Assistants were published in 2011 and are available on the Department of Education and Skills website as **Circular 72/2011**

Other Staff

Disciplinary and grievance procedures for all other members of staff will be outlined in the terms of their contract and should be followed accordingly.

Policy adopted by the BOM on 25th February 2026

Signed: John Donohoe **Chairperson**

Tony Riley **Principal**