



Grievance Procedure Policy

Scoil Naomh Eoin, Clonmagadden Valley, Navan, Co. Meath.

Roll No. 20180Q

The Board of Management of Scoil Naomh Eoin is responsible for safeguarding the health, safety and welfare of persons working in the school.

The Board recognises that all relationships in the workplace have the potential to create stress for those working there and that such stress may amount to an illness requiring medical treatment. In particular, the Board recognises that bullying and sexual harassment can cause stress, as can the calling into question of a worker's personal and / or professional reputation or skills by the making of a complaint about their conduct.

The Board **will not condone bullying or harassment of any type in the workplace..**

The Board has a responsibility to safeguard workers, in so far as possible, against stress and stress related illnesses.

The Board is of the view that the achievement of this objective requires:

1. That the Board's policy in relation to workplace relationships be clearly stated and communicated to all those having an interest in same.
2. That adequate mechanisms and procedures for dealing with and resolving difficulties which may arise from workplace relationships (including complaints by and about workers) are put in place.
3. That the existence and nature of such mechanisms and procedures are communicated to all those having an interest in same.

Existing Procedures for Good Practice:

A key asset to working in any school is where **positive staff relations are promoted**. The principal management bodies of primary schools and the INTO are of the view that it is incumbent on the staff and management of each school to promote a culture of positive working relations at all times. The school will follow the guidelines as outlined by the C.P.S.M.A

Each Board member has a copy of CPSMA handbook and the principal's copy is available in the school.

Relevant Procedures:

- Positive Staff Working Relations
- Bullying / Harassment
- Grievance Procedure (*Staff Issues*)
- Complaints Procedure (*Complaints by Parents*)

The principal, deputy principal, chairperson and board members should ensure that they are up to date with current guidelines and procedures and should always refer to the appendices listed above.

The appropriate procedures to be adopted in relation to the difficulties experienced in a workplace relationship will necessarily vary depending on the relationship in question. Accordingly, it is necessary to deal with the various relationships separately.

Pupil / Staff:

The Board recognises that a pupil has a right to complain of the manner in which he / she is being treated by a staff member in the school. Ordinarily one would expect such complaints to come via the pupil's parents or guardians. However if the pupil is capable of articulating a complaint then the fact that his / her parents have not become involved does not justify disregarding it. In such circumstances arrangements should be made for the pupil to discuss the matter with the principal, whether the pupil seeks such an opportunity or not. Another adult (staff member, board member, the child's parent) may be invited to be present at this discussion.

The staff member about whom the complaint is being made should not be present during such a discussion. However he / she should be informed as soon as possible thereafter of the nature of the complaint. The staff member will be invited to respond to the allegation. He / she will be informed of the steps which the principal proposes to take, whether by way of further investigation or otherwise. In the event of a pupil making a complaint about the principal the deputy principal and / or the chairperson of the Board will discuss the matter with the pupil and investigate further if necessary.

A record should be maintained of the complaint made and of the staff member's response to the complaint. He / she should be entitled to inspect this record and should be entitled to furnish an explanation thereof in writing, which should be added to the record.

The pupil's parents or guardians should be kept fully informed of the complaint and the steps taken.

Staff / Pupil:

Where a teacher has a complaint about a pupil which he / she has been unable to deal with as a matter of routine classroom discipline, the complaint should be referred to the principal.

This also applies to complaints by non-teaching staff about pupils.

The teacher / staff member is entitled to be kept informed by the principal of the steps, which are taken in relation to any such complaint. The principal should advise the member of staff of any contact which he / she has with the parents or guardians in question in relation to the said complaint.

Parent / Teacher:

(Refer to CPSMA Handbook: Complaints Procedure)

Parents are always expected to address complaints they may have with the teacher in question. Where an issue remains unresolved and a parent has a complaint to make about a teacher the complaint should be made in the first instance to the principal

Where any complaint is made about a teacher directly to the Board, or any member thereof including the chairperson, without first being raised with the principal, the parents should be

advised as to the appropriate procedure and the Board should take no steps in relation thereto.

Where, by reason of the seriousness of the complaint or for any other reason, the principal feels unable to deal with same, he / she may refer the matter to the Chairperson of the Board of Management who shall convene a meeting of the Board to deal with the matter.

Where the parent is dissatisfied with the manner in which his / her complaint is being or has been dealt with by the principal, the parents should be advised to write to the Chairperson of the Board outlining the reasons for his / her dissatisfaction whereupon the chairperson will convene a meeting of the Board consider the matter.

Staff / Staff:

Refer to CPSMA Handbook: Grievance Procedure

Where a member of staff has made a complaint about another staff member (other than the principal) the complaint should be made to the principal. The other member of staff concerned is entitled to be informed as soon as practical of the nature of the complaint being made and to be offered an opportunity to be heard in relation thereto. The principal should not require the complaint to be made in the presence of the member of staff about whom the complaint is being made, nor should he / she require the last mentioned teacher to offer an explanation or defence of his / her behaviour in the presence of the complaining member of staff.

If a staff member has a complaint about the Principal they should first bring this grievance to the attention of the Principal. If they are unhappy with his response they can arrange an informal meeting with the Chairperson of the BOM followed by a formal written complaint if they are still unhappy.

If the principal, by reason, of the seriousness of the complaint or for any other reason feels unable to deal with the matter, he should refer to the Chairperson of the Board of Management who will convene a meeting of the Board to consider the matter.

If the principal proceeds to deal with the matter and either of the parties involved is dissatisfied with the manner in which it is dealt with by the principal, then either party should be entitled to raise the matter with the chairperson of the Board who will convene a meeting of the Board to deal with the matter.

Staff / Board member:

Refer to CPSMA Handbook: Grievance Procedure

In any situation where the Board is investigating a complaint by or concerning a staff member and requires either party to attend a Board meeting at which the said complaint will be discussed; such party shall be entitled to be accompanied by a legal advisor or a representative from his / her union. If the peers against whom the complaint is made is a member of the Board of Management that person shall withdraw from all meetings while the matter is discussed.

The Board of Management shall act in a fair and impartial manner in order to achieve resolution and shall deal with the matter sensitively, having due regard to the problem.

The following is the staged approach of the grievance procedure in our school.

Scoil Naomh Eoin

Principal: Mr. Enda Lydon Deputy Principal: Ms. Leona Murtagh
GRIEVANCE PROCEDURE POLICY

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, (c/f section b, pgs 12 - 13) 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 or 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 to the grievance 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;
- and with:
 - 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 (c/f section b, pgs 12 - 13), 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.Where there is a single manager as opposed to a board of management, stages 1, 2 and 4 only shall apply. In these circumstances the aggrieved teacher shall supply a written submission at stage 4, and the normal procedures of due process will apply to the exchange of documentation and the right of response.
- 6.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.
- 7.Attention is also drawn to paragraph 15 of the Constitution of Boards and Rules of Procedure, particularly with regard to disclosure of interest.
- 8.Where the aggrieved teacher is a member of a religious order, the INTO will consult her/his representative association before nominating a member of the independent tribunal envisaged in stage 4.
- 9.A school day is a day on which the school is in operation.
- 10.Any difficulty arising out of the implementation of this procedure shall be referred for resolution to the parties to this agreement.

Ratification & Communication

This policy will be ratified by the BOM in September 2015. A copy is available on the network.

All staff are issued with a copy of this policy on employment and have access to the CPSMA Handbook through the principal. Parents and students are informed on enrolment and regularly reminded of the complaints procedure through newsletters, meetings and on the school notice board. Copies of the complaints / grievance procedures are available on the school website.

This policy will be reviewed in 2020.

Signed: _____ **Date:** _____
School Principal

Signed: _____ **Date:** _____
Chairperson, Board of Management