Harcourt Terrace Educate Together National School
Email: info@htetns.ie Address: Harcourt Terrace, Dublin 2. D02 FC64
No: 01 5292970

# Harcourt Terrace ETNS Grievance & Disciplinary Procedures Policy

## Mission Statement

Harcourt Terrace ETNS is an Educate Together School, run in accordance with the Rules for Primary Schools of the Department of Education and Science. We at Harcourt Terrace ETNS, seek to provide an environment that is child-centred, co-educational, equality-based and democratically run. Our mission is to educate our pupils to their fullest potential while enhancing their self-esteem and creativity. All pupils are treated as individuals and their uniqueness is celebrated. All members of our school community are encouraged to respect themselves and others and we aspire to provide our children with the life skills necessary to become the best they can be.

The Board of Management of Harcourt Terrace Educate Together National School *(HTETNS)*, through in consultation with the staff of HTETNS has drawn up a Grievance Policy to protect the well-being of the whole-school community by always endeavouring to provide a safe and nurturing environment.

## Grievance (Complaints) Procedure for Parents

The parental complaints procedure was revised and agreed by the Irish National Teachers' Organisation and the management bodies of primary schools, the Catholic Primary Schools Management Association, the Church of Ireland, An Foras Pátrúnachta, the Muslim Primary Education Board, Educate Together and the National Association of Boards of Management in Special Education in 2023. It is designed to provide an open and clearly defined process to facilitate parents/legal guardians in raising concerns about their own child/children in an agreed, fair and transparent manner. It is recognised that parents/legal guardians are the primary educators in a child's life and as such from time-totime concerns may arise which they may need to engage with the school. It is expected that engagement will be timely, courteous and resolution focused to ensure that the important relationship between the parent and school can be preserved and respected. It is expected that all parties concerned will engage proactively.

### Procedural Points

The procedure is a staged procedure where every effort is made to resolve matters at the earliest possible stage. In most cases, concerns will be dealt with either informally or formally at the earlier stages of the procedure. Where it has not been possible to agree a resolution at the earlier stages, the procedure does allow for the escalation of the matter to the Board of Management. This procedure sets out, in four stages, the process to be followed in progressing a complaint and the specific timescale to be followed. It is expected the parties will follow each stage in sequence.

Where the term written correspondence is used, this refers specifically to a letter or email correspondence from a parent/legal guardian(s).

- This procedure will only be formally enacted where a parent/legal guardian explicitly confirms in writing their intention to make a formal complaint under this procedure. Verbal or informal concerns will not automatically trigger the formal complaints process.
- Only complaints about a teacher which are written and signed by a parent/legal guardian, and which relate to their own child, will be investigated.
- Where a complaint raised by a parent/legal guardian is deemed by the employer/board of management to relate to the following, this procedure will not apply:

- matters of professional competence and which are to be referred to the Department of Education.

- frivolous or vexatious complaints and complaints which do not 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.

In all circumstances, any form of written correspondence for the attention of the Board of Management must be supplied to the Chairperson of the board of management only. Any deviation from this could be deemed prejudicial and as acting outside the scope of this agreement.

- Days in this procedure refer specifically to school days. A school day is a day on which the school is in operation. Holiday periods, school closures and leaves of absences are not counted as school days for the purpose of this procedure.
- Group/collective complaints are not provided for and each parent/legal guardian raising a concern will be dealt with separately through this process.
- The procedure is a domestic forum and accordingly, neither management nor the INTO intends that there would be legal representation at any stage.
- Issues should be raised in a timely manner. It is in the best interests of the child that issues are raised to achieve early resolution at the earliest possible stage with the teacher, ideally while the pupil is in that teacher's class.

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## Formal Stage 1 Discussion

### 1.1 Parent/guardian meets teacher

A parent/legal guardian who wishes to make a complaint in respect of their own child, should, seek an appointment with the teacher concerned with a view to resolving the complaint. Further meetings with the teacher can be convened as appropriate.

### 1.2 Parent/guardian meets Principal[1]

Where the parent/legal guardian is unable to resolve the complaint with the teacher, they should seek an appointment with the Principal with a view to resolving the complaint. Further meetings can be convened by the Principal as appropriate.

### 1.3 Parent/guardian meets Chairperson

Where the complaint remains unresolved, the parent/legal guardian should seek an appointment with the Chairperson of the Board of Management with a view to resolving the complaint. Further meetings can be convened by the Chairperson as appropriate.

### Complaint resolved

The complaint may be resolved during this stage.

## Formal Stage 2 Written (10 days)

### 2.1 Written complaint sent to Chairperson

If the complaint has not been resolved at stage 1, the parent/legal guardian who wishes to pursue the matter further should submit the complaint in writing to the Chairperson of the Board of Management. This commences stage 2.

### 2.2 Chairperson provides a copy to the teacher

The Chairperson should provide a copy of the written complaint to the teacher against whom the complaint has been made, without delay.

### 2.3 Chairperson convenes meeting(s)

The Chairperson should seek to resolve the complaint between the teacher and the parent/legal guardian within 10 school days of the commencement of stage 2.1. This may require one or more meetings to be convened by the Chairperson with the teacher/parent/legal guardian and other school personnel as deemed appropriate by the Chairperson.

### Complaint resolved

The complaint may be resolved at this stage.

## Formal Stage 3 Board of Management (20 days)

### 3.1 Chairperson makes a formal report to the Board

If the complaint remains unresolved following stage 2 and the parent/legal guardian wishes to pursue the matter, they should inform the Chairperson in writing of this fact. The Chairperson should make a formal report to the Board of Management within 10 days of receipt of this written statement. At this meeting, the Board can decide to proceed to either stage 3.2 or 3.3.

### 3.2 Complaint concluded

Where the Board considers the complaint, the process may be concluded at this stage, if the board considers that:

a) The complaint is frivolous/vexatious;

b) The complaint has already been investigated by the board;

c) The complaint is more appropriately dealt with through a more relevant DE circular,

or;

d) where recourse to law has been initiated.

Where the Board determines the complaint is concluded at this stage, the parent/legal guardian should be so informed within five days of the Board meeting.

### 3.3 Proceed to a hearing

Where the Board decides to proceed to a hearing, it should proceed as follows:

a) the teacher should be informed that the complaint is proceeding to a full hearing and the Chairperson must ensure the teacher has been supplied with all documents which are being considered by the Board.

b) the Board should arrange a meeting with the parent/legal guardian if it considers such to be required. The parent/legal guardian is entitled to be accompanied and assisted by a friend at any such meeting.

c) the teacher should be afforded an opportunity to make a presentation of their case to the Board. The teacher is entitled to be represented by a friend or a union representative, who may be accompanied for the purpose of assistance and note taking.

d) the teacher should be requested to supply a written statement to the board as the employer in response to the complaint. This written statement will be confidential to the employer and will not be shared with any third party.

e) the meeting of the Board of Management referred to in 3(b), (c) and (d) will take place within 10 days of the meeting referred to in 3.1. in so far as possible.

## Formal Stage 4 Decision (5 days)

### 4.1 Written decision from Chairperson

The Board will consider the complaint and the response provided and will adjudicate on the matter. The Chairperson should convey the decision of the Board in writing to the teacher and the parent/legal guardian(s) within five days of the meeting held at stage 3.3.

### 4.2 Complaint concluded

The decision of the Board shall be final.

[1] *Where a complaint is received about a principal the above process commences at Stage 1.2.*

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## Grievance (Complaints) Procedure for Staff

***Teachers***

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:

- the Board of Management in respect of the exercise of any of its responsibilities for the governance of the school; or
- the Chairperson of the Board in an individual capacity; or
- 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.

This procedure will only be formally enacted where a staff member explicitly confirms in writing their intention to make a formal complaint under this procedure. Verbal or informal concerns will not automatically trigger the formal complaints process.

### 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.

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**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**

- 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.
- The grievance procedure shall also apply where two or more teachers share a grievance.
- 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.
- Where the grievance is against an individual Chairperson or the Board of Management itself, stages 2, 3 and 4 of the procedure shall apply.
- 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.
- 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.

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## 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 0071/2014 ETB Procedures**
- **Circular 49/2018 Revised Procedures for Suspension and Dismissal of Teachers and Principals**
- **Circular 72/2011 Grievance and Disciplinary Procedures for Special Needs Assistants**

ETBs, 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.

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 circulars.

### *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.

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**Ratification and communication:**

**Policy Review:**
This policy will be reviewed in October 2028. It will be communicated to the whole-school community via our school website.

**Policy Ratification:**
This policy was ratified by the Board of Management on 2/11/26.

Signed on Behalf of the Board of Management:

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| **Chairperson:** | Gwen Murphy<br>**Gwen Murphy** |
| **Date:** | 2nd November 2026 |
| **Principal:** | Tony Walsh<br>**Tony Walsh** |
| **Date:** | 2nd November 2026 |