

Scoil Barra Grievance and Disciplinary Policy

Introductory Statement:

Scoil Barra's Board of Management (BOM) seeks to encourage and foster positive and respectful relationships among all members of the school community. However, the Board of Management (BOM) recognises that disagreements, conflicts and grievances may arise from time to time which necessitate the availability of clearly-stated procedures to be followed by all concerned with such matters. In addition, the BOM is mindful of its legal obligations in the management and support of all staff members and recognises the need for disciplinary procedures to guide it in its working with staff members.

Rationale:

Various pieces of legislation including the Education Act, the Education Welfare Act, the Teaching Council Act, and Equality legislation among others, impose obligations and duties on Boards of Management to facilitate and encourage a school climate that fosters positive relationships among all members of the school community. In addition, various Department of Education and Skills' Circulars guide the BOM in the management of the various relationships that arise within the school context.

Relationship to School Ethos:

This Policy seeks to support the development of '*a pleasant and orderly environment*' as outlined in the school's mission statement.

Procedures for Addressing Complaints against teachers:

It is acknowledged that disagreements and/or complaints may arise from time to time. The primary thrust of Scoil Barra's Home/School Partnership Policy is to support a preventative rather than a curative response to the difficulties that may occasionally develop. As outlined in the Home/School Partnership Policy, it is envisaged that all disputes/challenges should be addressed initially at a more informal level, usually involving contact and communication between parent(s) and teacher(s). Experience has shown that where a mutually respectful willingness among parent(s) and teacher(s) exists to discuss difficulties and to engage in a solution-driven approach to addressing such disputes/challenges, then the majority of such matters are resolved speedily and to the satisfaction of all involved.

Where a satisfactory resolution of the issues is not achieved at the more informal level, then parent(s) and/or teacher(s) may wish to pursue the matter further and involve themselves in a more formal approach to seek resolution of the matter.

(See **Appendix 2** of the Home/School Partnership Policy which summarises the Complaints Procedure agreed by the INTO and CPSMA in 1993 and adopted by the Board of Management of Scoil Barra).

Role of the Teaching Council in addressing complaints against teachers:

The BOM is cognisant of the fact that Part 5 (Fitness to Teach) of the Teaching Council Acts 2001-2015 has been commenced and this part of the Act relates to the Council's role in investigating complaints relating to registered teachers. In this context, it is important to note that existing, agreed procedures for dealing with difficulties and complaints at school level will continue to operate. The Council has stated its belief that, in most cases, these existing, agreed procedures will offer the best means for resolving problems as they arise. In this regard, the Council has stated that only complaints which are of a serious nature, relating to registered teachers, can progress to an inquiry. The BOM will facilitate the work of the Teaching Council in any investigation which may be warranted in fulfilling its legal obligations.

Procedures for Suspension and Dismissal of Teachers and Principal Teachers:

Section 24(3) Education Act 1998 states:

(3) A board shall appoint teachers and other staff, who are to be paid from monies provided by the Oireachtas, and may suspend or dismiss such teachers and staff, in accordance with procedures agreed from time to time between the Minister, the patron, recognised school management organisations and any recognised trade union and staff association representing teachers or other staff as appropriate.

Circular 60/2009 (**Appendix 1** attached) from the DES outlines the 'Revised Procedures for Suspension and Dismissal of Teachers and Principal Teachers'. The BOM will follow these procedures in the event that a situation arises meriting consideration of same.

Positive Staff Working Relations Procedures

The BOM recognises the need to promote a culture of positive working relations at all times. Where such a culture prevails, instances of adult bullying or harassment or staff conflict are less likely to occur. The Board seeks to raise awareness among all members of the school staff about the importance of fostering positive working relations with one's colleagues.

Appendix 2 encompasses pages 67-80 of the Board of Management Handbook 2016 as published by the Catholic Primary School Management Association. It includes recommended guidelines for good practice in the area of positive staff relations. It also sets out the various procedures to be adhered to in addressing staff relations difficulties, adult bullying or harassment.

There are three separate procedures included in **Appendix 2**:

- *C1 Procedure to Address Staff Relations Difficulties.*
- *C2 Procedure to Address Adult Bullying/Sexual Harassment or Harassment on Other Specified Discriminatory Ground, arising in the workplace or otherwise in the course of employment.*
- *C3 Grievance Procedure.*

While there are significant parallels between each of the procedures, in that, for example, each provides for:

- directly addressing matters;
- informal and formal stages;
- an emphasis on constructive engagement;
- an emphasis on early resolution, there are also some key difference, such as:
 - Procedure 1 places the emphasis on addressing staff relations difficulties in a consensus and voluntary type approach and it includes the provision of a mediation facility;
 - Procedure 2 is specific to the matter of allegations of bullying, sexual harassment or other specific discriminatory harassment, which may occur in the work- place or otherwise in the course of employment;
 - Procedure 3 places the emphasis on processing specific grievances that usually relate to breaches of school rules, policies, procedures or practices. It provides that an independent tribunal may be established that is empowered to issue a decision that is final and binding on all parties.

Disciplinary and Grievance Procedures for Special Needs Assistants:

The DES published Circular 72/2011 (Appendix 3 attached) which addresses the issue of ‘Disciplinary and Grievance Procedures for Special Needs Assistants’. The BOM will follow these procedures in the event that a situation arises meriting consideration of same.

Success Criteria:

- The existence of a school climate that fosters positive relationships among all members of the school community.
- The existence of a school ethos that suggests general contentedness and satisfaction among all members of the school community in terms of communications, interactions and general relations.
- The existence of general support and acceptance of the Board’s procedures in this area from staff, parents and pupils.
- Feedback received from the different members of the school community.
- The successful resolution of any difficulties or challenges that arise within the school environment.

Review:

This policy will be reviewed periodically by the BOM as deemed necessary.

Ratification and Implementation:

The initial draft of this policy was circulated to all staff and BOM members, and to the officers of the Parents and Friends’ Association. Feedback and comment was invited. The BOM considered the feedback received and reviewed the draft policy in the context of the feedback. A finalised draft Policy was issued to the Board of Management for its review and approval. The Policy was reviewed and ratified by the Board of Management at its meeting on the 29th May 2017.

The Policy was then made available by e-mail to all staff, BOM members and PFA Officers. Parents were advised of the availability of the Policy on the school website (www.scoilbarra.ie) and a hard copy of the Policy is available for perusal through the Secretary’s Office.

Signed:

Date:

Paddy Staunton, Chairperson, Board of Management

