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Education & Training
Boards Ireland
*Bord Oideachais &
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POLICY FOR DISCIPLINE AND GRIEVANCE

**BROADMEADOW COMMUNITY
NATIONAL SCHOOL**



2022/2023

Principal: Miss J. Robinson

The Principal of Miss Jennifer Robinson is responsible for the implementation of this Discipline and Grievance Policy.

Introduction

The Board of Management (BOM) at Broadmeadow CNS 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.

The Principal and Board of Management are responsible for safeguarding the health, safety and welfare of persons working in the school. This responsibility extends not only to pupils and teachers but also all other persons working in the school, both during school hours and outside school hours, and employed directly or indirectly by DDLETB or the Broadmeadow CNS. The Principal 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 Principal 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 Principal will not condone bullying or harassment of any type in the workplace.

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

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

- That the policy in relation to workplace relationships be clearly stated and communicated to all those having an interest in same.
- 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.
- That the existence and nature of such mechanisms and procedures are communicated to all those having an interest in same.

Rationale

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. Where such a culture prevails, instances of adult bullying or harassment or staff conflict rarely occur. In the event of difficulties in the workplace, clear and specific procedures are vital. (See Anti-Bullying Policy)

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

Our school community includes the pupils, parents, families, staff and Board of Management of Broadmeadow CNS and we want to make sure that each pupil grows and learns in a safe and happy place, where they are helped to be the best that they can be. Everybody in Broadmeadow should be allowed to be safe in school and should be treated with respect and kindness at all times. We all have to work together to make sure this happens, using information and ideas from other schools, the Department of Education and Skills, and other groups.

Processing Complaints about Teaching Staff

It is acknowledged that disagreements and/or complaints may arise from time to time.

The Principal 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 or SLT, whether the pupil seeks such an opportunity or not. Another adult (staff member, manager, 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 without feeling judged. 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 BOM will discuss the matter with the pupil and investigate further if necessary.

A written 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.

(For further information on processing complaints related to Bullying, see Anti-

Bullying Policy)

Role of the Teaching Council in Addressing Complaints Against Teaching Staff

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.

Procedure for Suspension and Dismissal of Teaching Staff, Deputy and Principal

Section 24(3) Education Act 1998 states:

'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 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.

There are three separate procedures in relation to this policy:

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 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.

Signed Ann Graves

Date 13.12.22

Board of Management

Signed Jennifer Robinson

Date 13.12.22

Principal