

Scoil Lorcáin 19851J

1 POLASAÍ GEARÁN

Réamhrá

Ní dhéanfaidh an Bord Bainistíochta iniúchadh foirmeálta ach ar ghearáin atá scríofa agus sínithe ag tuismitheoirí/ caomhnóirí dhaltaí, ach amháin má mheasann an Bord:

1. Go mbaineann gearán le cumas gairmiúil an mhúinteora a seolfar chuig an Roinn Oideachais
2. Gur gearán gan bhunús atá ann nach mbaineann le hobair an mhúinteora sa scoil
3. Gur gearáin iad gur féidir le ceachtar páirtí tabhairt faoin dlí nó faoi mheicníocht réitigh eile.
4. Is féidir déileáil le gearáin neamhfhoirmeálta mar atá leagtha amach ag Céim 1 thíos.

Céim 1 1.1 Más mian le tuismitheoir/caomhnóir gearán a dhéanamh ba cheart dó/di teagmháil a dhéanamh leis an múinteoir ranga ar dtús d'fhonn an gearán a réiteach.

1.2 Sa chás nach féidir leis an tuismitheoir/caomhnóir teacht ar réiteach leis an múinteoir ranga, ba cheart dó/di dul i dteagmháil leis an bPríomhoide d'fhonn é a réiteach.

1.3 Mura mbíonn réiteach ar an ngearán ina dhiaidh sin, ba cheart don tuismitheoir/caomhnóir an gearán a ardú le Cathaoirleach Bhord Bainistíochta na scoile d'fhonn é a réiteach.

Céim 2 2.1 Má tá an gearán fós gan réiteach agus más mian leis an tuismitheoir /caomhnóir an gearán a thógáil níos faide ba cheart dó/di an gearán a chur i scríbhinn chuig Cathaoirleach an Bhoird Bainistíochta.

2.2 Ba cheart don Chathaoirleach aird an mhúinteora atá i gceist a dhíriú ar an gcineál cruinn den ghearán scríofa agus gach iarracht a dhéanamh cúrsaí a réiteach idir na páirtithe taobh istigh de 5 lá den ghearán scríofa a bheith faighte.

Céim 3 3.1 Mura mbíonn an gearán réitithe ar bhonn neamhfhoirmeálta, ba chóir don Chathaoirleach; faoi réir údarás ginearálta an Bhoird agus ach amháin i gcásanna go gceapann an Cathaoirleach go mbeidh údarás ón mBord ag teastáil: a) cóip den ghearán scríofa a chur ar fáil don mhúinteoir; agus b) cruinniú a shocrú leis an múinteoir agus leis an bpríomhoide, más cuí, d'fhonn an gearán a réiteach.

Ba cheart don chruinniú seo tarlú taobh istigh de 10 lá ón ngearán scríofa a bheith faighte.

Céim 4 4.1 Mura mbíonn an gearán réitithe ba chóir don Chathaoirleach tuairisc foirmeálta a chur os comhair an Bhoird taobh istigh de 10 lá den chruinniú i 3.1 (b).

4.2 Má mheasann an Bord nach bhfuil bunús leis an ngearán, is gá é seo a chur in iúl don mhúinteoir agus don ghearánach laistigh de 3 lá ón gcrúinniú Boird

4.3 Má mheasann an Bord go bhfuil bunús leis an ngearán nó go bhfuil imscrúdú breise ag teastáil, ba chóir na céimeanna seo a leanas a leanúint:

(a) Ba chóir a chur in iúl don mhúinteoir go bhfuil an fiosrúchán ag dul ar aghaidh go dtí an chéad chéim eile;

(b) Ba cheart cóipeanna d'aon fhianaise scríofa a chur ar fáil don mhúinteoir mar thaca leis an ngearán;

(c) Ba chóir iarraidh ar an múinteoir ráiteas i scríbhinn a chur ar fáil don Bhord mar fhreagra ar an ngearán;

(d) Ba chóir deis a thabhairt don mhúinteoir cur i láthair a dhéanamh don Bhord. Bheadh an múinteoir i dteideal cara dá rogha féin a bheith in éineacht leis/léi mar chomhluadar agus mar chuiditheoir ag aon chruinniú dá leithéid;

(e) Is féidir leis an mbord cruinniú a eagrú leis an ngearánach má cheaptar go bhfuil gá lena leithéid. Bheadh an gearánach i dteideal cara a thabhairt ag an gcrúinniú mar chomhluadar agus mar chuiditheoir;

(f) Tionólfar an cruinniú den Bhord Bainistíochta a luaitear in (d) agus (e) taobh istigh de 10 lá den chruinniú a luaitear i 3.1(b).

Céim 5 5.1 Nuair atá fiosrúcháin an Bhoird curtha i gcrích ba cheart go gcuirfeadh an Cathaoirleach cinneadh an Bhoird i scríbhinn chuig an múinteoir agus chuig an ngearánach taobh istigh de 5 lá ón gcrúinniú Boird.

5.2 Ní bheidh aon dul thar chinneadh an Bhoird.

5.3 Déanfar athbhreithniú ar an mBeartas Gearáin tar éis trí bhliain.

Introduction

Only those complaints about teachers which are written and signed by parents/guardians of pupils may be investigated formally by the board of management, except where those complaints are deemed by the board to be:-

1. On matters of professional competence and which are to be referred to the Department of Education;
2. Frivolous or vexatious complaints and complaints which do not impinge on the work of a teacher in a school;
3. Complaints in which either party has recourse to law or to another existing procedure;
4. Unwritten complaints not in the above categories may be processed informally as set out in stage 1 of this procedure.

PROCEDURES

1. Stage 1

1. A parent/guardian who wishes to make a complaint should, unless there are local arrangements to the contrary, approach the class teacher with a view to resolving the complaint.

2. Where the parent/guardian is unable to resolve the complaint with the class teacher, he/she should approach the principal teacher with a view to resolving it.

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.

2. Stage 2

1. If the complaint is still unresolved and the parent/guardian wishes to pursue the matter further she/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 within five days of receipt of the written complaint.

3. Stage 3

1. If the complaint is not resolved informally the chairperson should subject to the general authorisation of the board and except in those cases where the chairperson deems the particular authorisation of the board to be required:

- 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. Such meeting should take place within 10 days of receipt of the written complaint.

4. Stage 4

1. If the complaint is still not resolved, the chairperson should make a formal report to the board within 10 days of the meeting referred to a 3 2 (b).

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 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 will 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 will be entitled to be accompanied and assisted by a friend at any such meeting;
- f. The meeting of the board of management referred to in sub paragraph d and e will take place within 10 days of the meeting referred to in 3.1.b.

5. Stage 5

- 1. When the board has completed its investigation the chairperson should convey the decision to the board in writing to the teacher and the complainant within five days of the meeting with the board;

2. The decision of the board shall be final;

3. This complaints procedure shall be reviewed after three years;

4. In this agreement “days” means school days.