

# Jonah Special School

School for Children with Autism & Complex Needs

OLD V.E.C. BUILDING, SLIEVERUE, KILKENNY, VIA WATERFORD

[www.jonahschool.ie](http://www.jonahschool.ie)

Tel/Fax: 051-833269 Email: [thejonahproject@hotmail.com](mailto:thejonahproject@hotmail.com)

Roll Number – 20380B

Principal: Caitriona Barry

Director: Niamh McEvoy BCBA



# GRIEVANCE POLICY

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## Grievance Policy Jonah Special School

### Introduction

The Board of Management of Jonah Special School affirms its commitment to the speedy and effective resolution of staff grievances and adopts this procedure to ensure the good governance of the school.

As a matter of principle, the Board of Management affirms its commitment to the informal resolution of complaints and the purpose of this procedure is to address issues that have not been informally resolved.

The purpose of this procedure is to provide a mechanism for the resolution of a grievance which a staff member, including the Principal, has against:

1. The Board of Management in respect of the exercise of any of its responsibilities for the governance of the school; or
2. The Chairperson of the Board in an individual capacity; or
3. The Principal in respect of his/her duties and responsibilities for the organisation, conduct and day to day activities of the school.

Until such time as the dispute is resolved or determined the aggrieved staff member shall continue to carry out the legitimate instructions of the Principal and/or the Board of Management.

The grievance procedure shall also apply where two or more staff members share a grievance.

Where the Principal, or the Principal and one or more other staff member, 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.

### Stage 1: The Principal

1. The aggrieved staff member gives notice in writing to the Principal that the grievance procedure is being invoked.
2. The staff member can then discuss the grievance with the Principal with a view to resolving it.
3. If the grievance is not resolved within ten school days, the staff member is entitled to invoke stage 2, within a further ten school days.

### Stage 2: The Chairperson

1. The aggrieved staff member may give notice in writing to the Principal and Chairperson of the Board of Management that stage 2 of the grievance procedure is being invoked.

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2. The staff member discusses 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 staff member is entitled to invoke stage 3, within a further ten school days.

### Stage 3: The Board of Management

1. The aggrieved staff member 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 staff member makes a written submission which includes the details of the grievance(s) and the redress being sought. The submission is presented to the Chairperson for consideration by the Board of Management.
3. The normal rules of due process 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, 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 person's submission and is furnished to the aggrieved person 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 person is 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 person 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, 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 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 are 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 below.
10. The Chairperson shall convey the outcome in writing to the parties within 5 school days of the hearing specified at stage 3 above.
11. The staff member shall have the right to invoke stage 4 of the procedure –

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- If the Board fails to give a hearing to the aggrieved person;
- If the Chairperson fails to convey the outcome of the hearing within the specified period; or
- If the aggrieved staff member is unwilling to accept the outcome of stage 3.

### Stage 4: An Independent Tribunal

1. The staff member 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. The date of that letter shall be referred to as the "date of appeal" and the staff member 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 and invite it –
  - To select an agreed independent person to act as Chairperson of a tribunal;
  - To appoint persons 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 persons letter of appeal;
    - a copy of the aggrieved persons 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.

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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.

### Jonah Special School

Grievance Policy

This policy was adopted by the Board of Management of Jonah Special School at its meeting held on:

**Ratified by the Jonah Board of Management on:** \_\_\_\_\_  
**Date**

**Signed:** \_\_\_\_\_  
**Principal**

**Signed:** \_\_\_\_\_  
**Chairperson, Board of Management**

**Next Review Period: *November 2023***