



The Board of Management in Your Primary School

A Guide for Parents



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The Board of Management in Your Primary School – A Guide for Parents

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ISBN 978-0-9517459-4-6



Foreword

I welcome this publication by the National Parents Council Primary.

Boards of Management are the backbone of our schools. Made up of teacher, parent and patron representatives, the board's main function is to manage the school on behalf of the patron and for the benefit of the students. The needs of a school can vary from community to community so it is important that schools are run by local people who carry out their duties with the best interests of the school at heart.

The Department of Education and Science works closely with Boards of Management around the country to ensure the smooth running of our 3,200 primary schools. The Department has this year set aside €1 million to specifically train board members on issues such as good governance, financial management, bullying and child protection.

This year sees the establishment of new Boards of Management in all of our Primary Schools. The voluntary participation of thousands of people is a real example of active citizenship as the boards ensure that our schools are managed for the benefit of the children.

Parents serving on school Boards of Management provide a crucial, valued service for their whole community and your involvement is greatly appreciated.

A handwritten signature in blue ink that reads "Mary Hanafin". The signature is written in a cursive style.

Le gach dea-ghuí,

Mary Hanafin TD
Minister for Education and Science

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Contents


Definition of terms	3
Introduction	5
What is the Board of Management?	6
Responsibilities of the Board	6
How is the Board constructed?	8
How are Board members elected?	9
Officers of the Board	13
Board meetings	15
The Board of Management and the Parents' Association	16
Parents' representatives and the Parents' Association	20
Help for parents' representatives	20
Frequently Asked Questions	21
For Further Information	24
Legislation relevant to primary schools	26
Statutory Bodies associated with Primary Education	27
Department of Education and Science Circulars	28
Appendices	29

Definition of Terms

- a) The **Department of Education and Science** “provides for education in this country”. This means that they pay the salaries of the teachers and provide for the running costs of the school through a “capitation grant”. The capitation grant is paid per pupil per year and has to cover all bills, such as heating, lighting, insurance etc. The department may provide grants from time to time for items such as PE equipment, computers etc. The management of the school is operated by the school’s Board of Management.
- b) The **Patron** is the person or body of persons recognised as such by the Minister for Education and Science as defined by Section 8 of the Education Act, 1998. The Patron may manage the school personally or may nominate a suitable person or body of persons to act as manager. Subject to the provisions of Section 16 of the Education Act, 1998, the Patron may at any time resume the direct management of the school or may nominate another manager.
- c) The **Trustees** are the persons nominated by the Patron as trustees of the school. They are parties to the lease of the school premises. The Trustees undertake that the buildings shall continue to be used as a national school for the term of the lease and guarantee that the premises and contents are insured against fire and tempest.

In the case of Catholic Schools, in most dioceses the school property and enterprise are held by the Diocesan Trust. In a congregation-owned school the Trustees are those legally named as such by the religious congregation. In the case of Convent and Monastery schools, while the Bishop is the Patron, ownership rests with the Congregational Trustees.

The role of trustee does not encroach on the rights and duties of a school’s patron.

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- d) **The Board of Management/Manager** is the body of persons or the person appointed by the Patron and recognised by the Minister as defined by Section 14 of the Education Act, 1998.
- e) **“Parent”** includes a foster parent, a guardian appointed under the Guardianship of Children Acts, 1964 to 1997, or other person acting in *loco parentis* who has a Child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter. (Definition cannot be amended as it derives from the definition in the Education Act 1998 – an amendment to the Act would be necessary to amend this definition)
- f) **Days** as it appears in this document should be taken to mean calendar days as distinct from 'school' days.

Introduction

The purpose of this booklet is to inform parents and parents' associations of the basic facts about the operation of the Boards of Management. It looks at ways in which parents can make the most constructive contribution to effective school management. The booklet also tells parents how and where to find additional sources of information and support.

Value of serving on the board

Serving on the Board of Management of your children's school is a very important role. You have the opportunity to influence the management of the school in a practical way. You and your fellow board members will look after the overall running of the school from ensuring that the building is safe and of the highest quality possible to employing staff and overseeing the allocation of the school's budget. The Board of Management have the final say in all important decisions that are made for the school so it is vital that the parents are a part of that.

Parents are the primary educators of their children and this important role should continue when the children go to school. This calls for a real partnership between the school and the parents. This is best achieved when parents are involved in the aims of the school and the school's activities. Central to this partnership and involvement is parental membership of and full commitment to the boards that manage our schools.

Research shows and experience tells us that where parents are involved in their school children do better and are happier. What more reason could you want to get involved in the management of your school?

What is the Board of Management?

All primary schools are managed by a group of four or eight people who have a particular interest in the provision of primary schooling in their local area. This team is made up of parents' representatives, teachers, representatives of the patron and community representatives who have a particular interest or expertise.

Responsibilities of the Board

The duties of the Board of Management are clearly defined in law and the parents' role in this is fully acknowledged.

SEE APPENDIX 1 FOR AN OUTLINE OF THE RELEVANT SECTION OF THE EDUCATION ACT.

The responsibilities of the board should include;

- Ensuring the quality of pupil learning
- Recruitment of staff
- Ensuring the high quality of teaching
- Developing and reviewing the school plan
- Developing school policies

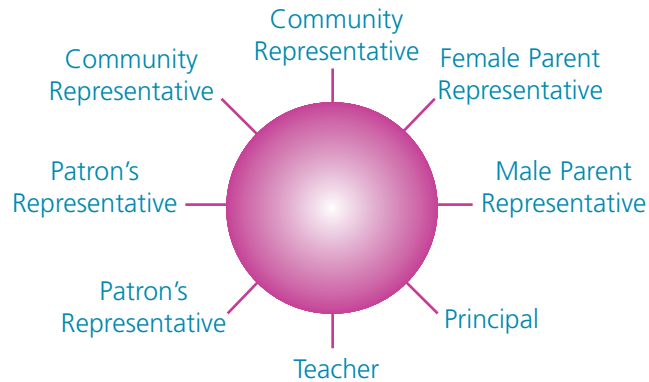
The Board of Management provides leadership and ensures effective management of the school, within an agreed school budget and a framework of accountability. In

this the board is supported by the principal, the deputy-principal (for larger schools) and holders of other posts of responsibility, each with well-defined duties.

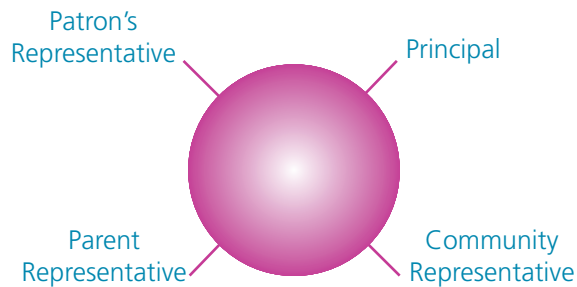
Since parents are the primary educators of their children their representatives have a critical role to play in the management of schools and in supporting the education of their children at school. This is why it is so important that parents hold positions on the Board of Management in our schools.

How is the Board constructed?

Schools with more than one teacher



One teacher school



How are Board members elected?

The procedure for the election and nomination of members of Boards of Management is explained fully in "The Board of Management of National Schools Constitution of Boards and rules of Procedure". The exact rules regarding the procedure for electing the parents' representatives are available in Appendix 2 at the end of this booklet and also on our website www.npc.ie

In brief what needs to happen to elect the parents' representatives:

EITHER

The Patron's representative must invite all parents to a meeting and ask for nominations for a mother's representative and a father's representative. If there is more than one nomination there must be a secret ballot and the votes must be counted in public. This can be done either at the meeting or as a postal vote.

OR

The Patron's representative will send a list of all the parents of the school to each family asking for nominations for the parents' representatives. (If this option is being used there are strict guidelines with regard to data protection, which must be followed.) Each parent can make two nominations one for the father's representative and one for the mother's. If there is more than one nomination for either male or female representative, a secret ballot must be held.

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Before the election

It is important there is interest in the roles of parents' representatives on the Board of Management as this is the most valuable way for the parents to have a role in the management of their school.

The parents' association should encourage interest by:

Giving information to parents about the role of the board in a school at a meeting and in a newsletter

Discussing the importance of the board in relation to the quality of education being received by their children

Highlighting the opportunity for parents to have a real say in the running of their school through electing good representatives

The parents' association should encourage motivated parents to come forward for election. The association may wish to nominate candidates who have shown a willingness to work on behalf of the school and who are committed to a real sharing of responsibility and to good communications between parents and the board. It is important to remember however that the parents' representative does not have to be a member of the parents' association or have any involvement with the association up to this point.

The parents' representatives shouldn't be left to chance. It's up to parents and parents' associations to make sure that the parents' representatives are the people who will do the best possible job for the children, for the school and for the parents.

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At the election meeting, which is arranged by the patron or his/her representative, an account of the work of the board should be given. This account should highlight the important work the board does for the school.

In recent years board members have been concerned about a personal liability in the case of a claim against the school. Clarification has been sought on this and the Department of Education and Science have given the following assurance.

Note: Indemnification for Board Members

Section 14(7) of the Education Act 1998 states “Except as provided by this Act, no action shall lie against a member of a board in respect of anything done by that member in good faith and in pursuance of this Act or any regulations made by the Minister under this Act.

School insurance companies have further supported this assurance.

Officers of the Board

Whilst all members of the board are equal it is necessary, to ensure smooth running of meetings and functions, that there be particular roles of responsibility. These are referred to as officers.

There are three officers of the board:

- Chairperson
- Treasurer
- Recording Secretary

The duties of the officers are set out in the “Board of Management of National Schools Constitution of boards and Rules of Procedure” (Revised 2007)

Chairperson

The Chairperson is appointed by the Patron and is the person who corresponds with the Department of Education and Science. The chairperson may however nominate the Principal teacher to act as correspondent in his/her absence where necessary.

The chairperson must chair the meeting. A good chairperson will ensure that all members are given a fair hearing.

Secretary

The secretary will keep accurate records of the meetings and will make them available when required, to representatives of the Patron, the trustees and the department of Education and Science. S/He will also set the agenda for meetings in conjunction with the Chairperson. S/He will also record in the minutes decisions reached at meetings including the numbers of those voting for or against a motion.



The secretary will normally be the Principal - see circular 0079/2007 (available on the department's website - www.education.ie)

Treasurer

The board from amongst the members elects the Treasurer.

The treasurer is responsible for keeping an accurate record of the income and expenditure of the board. S/He must present an up to date version of this to the board at each meeting. At the end of each year the accounts must be audited and made available to all the school community, including the parents.



Board meetings

Board meetings are subject to strict guidelines as set out in the "The Board of Management of National Schools Constitution of boards and Rules of Procedure". These are available from the Department of Education and Science www.education.ie

Some of the rules are:

Frequency of meetings

The board should have regular meetings throughout the year, at least one per term and not less than **five** over the course of the year.

The number of people required to hold meetings (Quorum)

In a one teacher school, there must be at least three members present and in other schools at least five members in order for the decisions of the meeting to be valid.

Notice of meetings

Usually seven days notice should be given of meetings. Members should be told the time and place of the meeting and they should be given an agenda in advance.

Minutes

Minutes are recorded by the recording secretary and signed by the chairperson. The minutes are the property of the board.

Term of office

Boards of Management are appointed for a 4-year term.

The Board of Management and the Parents' Association

It is in the best interest of the children, the parents and the school that positive and effective communication exists between the parents' association and the Board of Management. This is essential if parents are to be full partners in the education of their children. This has been recognised by the Department of Education and is legislated for in the Education Act. The Act states "A parents association shall promote the interests of the students in a school in co-operation with the board, Principal, teachers and students of the school". The act continues that the parents' association may "advise the principal or the board on any matter relating to the school and the principal or board as the case may be, shall have regard to any such advice. (Education Act 1998, section 26 - (2) (a)).

The act further states the importance of effective communication:

"The board shall promote contact between the school, parents of students in the school and the community and shall facilitate and give all reasonable assistance to parents who wish to establish a parents' association and to a parents' association when it is established." (Section 26 (3))

It has been shown that where Boards of Management, parents' associations and teachers work together to promote the interest of students in a school the children benefit. The parents' representatives on the board have a crucial role to play in this.

Some areas of collaboration between the Board of Management and the Parents' Association

The school plan

Every school in the country must prepare a plan, which outlines its overall vision of what it wants to achieve for all the children in its care. The Board of Management is required by law to ensure that the school plan is prepared, reviewed and regularly updated.

"A board shall, as soon as may be after its appointment, make arrangements for the preparation of a plan (in this section referred to as the "school plan") and shall ensure that the plan is regularly reviewed and updated" (Education Act 1998, section 21 - (1))

While the board has overall responsibility for this; staff, parents and pupils are also involved. In practice the principal leads the planning process and he or she will consult with all the partners including parents in setting objectives for the school and in monitoring the achievement of those objectives. Parents have a very valuable role to play in this process. They know their children best and can give suggestions, which will benefit the pupils of the school for many years.

Whole school evaluation

All schools are visited and evaluated by the Inspectorate of the Department of Education and Science. The most frequent form of evaluation is called **whole school evaluation**.

The evaluation looks at all aspects of the school including the quality of teaching and learning, the facilities at the school and the parents' involvement in the school.

The report is published on the Department's website and is a useful way for parents to see how their school is performing. The Inspectorate has produced an information leaflet for parents and parents' associations, which explains the process fully. It is available from the Department.

In schools where the parents' association is affiliated to the National Parents Council Primary, the reporting inspector will meet with officers of the parents' association. If there is no parents' association or where the association is not affiliated the inspector/s will consult with the parents' representatives on the board.

Fundraising

Whilst the primary function of a parents' association is to be a partner in education, some parents' associations may choose to raise funds for the benefit of the school.

A parents' association is entitled to raise funds for the administration and activities of the association. Full accounts must be maintained and presented at the parents' association Annual General Meeting, in accordance with the rules of the association.

The parents' association should consult with the board about fund raising for the school or school projects. The approval of the board is needed prior to these funds being raised. The expenditure of these funds is by the Board of Management, in consultation with the parents' association.

Any funds raised must be used for the purpose/s for which the money was collected. If, in exceptional circumstances, it becomes unnecessary for the board to use all the funds collected for the purpose specified, the board will communicate this to the parents' association and where appropriate the local community. In any

event the funds must be used for the school. The board in consultation with the parents' association committee will decide the change of purpose for which the funds are used.

(This information is also published in the Management Board Members Handbook, published by Catholic Primary School Managers Association.)

Parents' Representatives and the Parents' Association

The parents' representatives on the Board of Management are entitled to be members of the committee of the parents' association, however, NPC recommends that they should not hold officer positions on the parents' association committee. This is to avoid any conflict of interest with their role as board members. Their primary obligation is as a member of the management team of the school and as such they are not there to represent the parents' association or individual parents.

At the closure of each board meeting, the board members shall determine the information to be conveyed to parents, teachers, and the school community and the manner and terms in which it should be conveyed. Issues, which must remain confidential to board members, should be clearly identified.

Help for Parents' Representatives

The Department of Education and Science will provide training for all board members to ensure the best possible team is available to manage the school.

National Parents Council Primary will provide training at local level for the Parents' representatives on the board. The helpline of the National Parents Council Primary is also available to all parents. Contact details are provided below.

Information/Helpline Tel: 01 8874477 email: helpline@npc.ie

Frequently Asked Questions concerning Parents' Representatives on the Board of Management

Question

Am I personally liable if there is a complaint against the Board of Management?

Answer

No, the board is collectively responsible for all decisions. See also page 10 of this book, indemnification of board members.

Question

Am I responsible for bringing an individual's complaint to the board?

Answer

No you are not. There is a complaints procedure which has been agreed by the INTO (the teacher's union) and the CPSMA (the agency with responsibility for catholic schools) which should be followed. This involves a parent firstly speaking to the class teacher, if the problem is not resolved the parent must speak to the Principal, finally the complaint should be put in writing to the Board of Management. The full procedure can be found in appendix 3 of this book.

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Question

Am I responsible for solving parents' problems?

Answer

The board as a group have a responsibility to address any issue raised by parents; you have no more responsibility in this than any other member of the board.

Question

Am I supposed to pass on information to the parents' association?

Answer

Yes, at the end of each meeting the Chairperson will outline what information can be passed on to the parents' association and what information (if any) is to be kept confidential. See also the section on parents' representatives and the parents' association in this book.

Question

Am I equal to all other members of the board?

Answer

Yes the Chairperson has the casting vote in the event of a tie but in all other ways you are all equal.

Question

What should I do if I don't understand what is being said at a meeting?

Answer

As you have the same responsibility as all other members of the board you should ask for clarification of anything you don't understand.

Question

What do I do if I have not been given all the information?

Answer

In order to play a full active role on the board you must have access to all relevant information, therefore it is your duty to insist on it.

Question

What do I do if I am personally involved in an issue raised at a Board of Management meeting?

Answer

If you are personally involved in an issue raised at a Board of Management meeting, for example in the case of a bullying incident involving your child, to avoid a conflict of interest, you should absent yourself from that section of the meeting. However you are entitled to be present for all other agenda items.

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For Further Information

In your school - the board, the principal, the parents' association.

In your local area - the patron of the school, the Inspectorate, the local branch of the NPC the library.

National Parents Council Primary, 12 Marlborough Court, Dublin 1
Tel: 01 8874034 Email: info@npc.ie Website: www.npc.ie
Information/Helpline Tel: 01 887 4477 Email: helpline@npc.ie

Department of Education and Science, Marlborough Street, Dublin 1
Tel: 01 889 6400 Email: info@education.gov.ie Website: www.education.ie

Primary Administration, Department of Education and Science, Cornamaddy,
Athlone,
Co. Westmeath Tel: 090 64 83600

Catholic Primary School Managers Association (CPSMA), Veritas House, 7
Lower Abbey Street, Dublin 1 Tel: 01 874 2171 Email: info@cpsma.ie Website:
www.cpsma.ie

Church of Ireland Board of Education, Church of Ireland House Dublin, Church
Avenue, Rathmines, Dublin 6 Tel: 01 4978 422

Educate Together, H8a Centrepoint, Oak Drive, Dublin 12
Tel: 01 429 2500 Email: info@educatetogether.ie Website:
www.educatetogether.ie

Gaelscoileanna, 7 Cearnóg Mhuirfean, Baile Átha Cliath 2
Guthán: 01 477 3155 Email: oifig@gaelscoileanna.ie Website:
www.gaelscoileanna.ie

Irish National Teachers Organisation (INTO), 35 Parnell Square, Dublin 1
Tel: 01 804 7700 Email: info@into.ie Website: www.into.ie LoCall: 1850 708 708

National Association of Boards of Management in Special Education Schools,
Dublin Road, Carlow. Tel: 059 9142601



Legislation relevant to primary schools

- **Education Act 1998**
- **Education Welfare Act 2000**
- Children's Act 2001
- Disability Act 2005
- Education for Persons with Special Needs Act 2004
- Employment Act 1994 and 2001
- Equality Act 2004
- Health and Safety Act 2005
- Data Protection Act 1988 and 2003
- Protection of Employees (Part-time Work) Act, 2001
- Protection of Employees (Fixed-Term Work) Act, 2003

Statutory Bodies associated with Primary Education

- **National Education Welfare Board (NEWB)**, 16-22 Green Street, Dublin 7
Tel: 01 873 8700 Email: info@newb.ie Website: www.newb.ie
- **National Centre for Technology in Education (NCTE)**, Dublin City University, Dublin 9. Tel: 01 7008200 Email: info@ncte.ie Website: www.ncte.ie
- **National Council for Curriculum and Assessment (NCCA)**, 24 Merrion Square, Dublin 2. Tel 01 6617177 Email: info@ncca.ie Website: www.ncca.ie
- **National Educational Psychological Service (NEPS)**, Head Office, Frederick Court, 24/27 North Frederick Street, Dublin 1. Tel: 01 8892700 see www.education.ie
- **National Council for Special Education (NCSE)** 1-2 Mill Street, Trim, Co. Meath Tel: 046 9486400 Email: info@ncse.ie Website: www.ncse.ie
- **Special Education Support Service (SESS)**, c/o Cork Education Support Centre, Western Road, Cork. Tel: 1850 200 884 Email: info@sess.ie Website: www.sess.ie
- **The Teaching Council**, Block A, Maynooth Business Campus, Maynooth, Co. Kildare. Tel: 01 6517900 Email: info@teachingcouncil.ie Website: www.teachingcouncil.ie
- **School Development Planning Service (Primary)**, SDPS Office, Drumcondra Education Centre, Drumcondra, Dublin 9. Tel: 01 8576427 Email: info@sdps.ie Website: www.sdps.ie
- **Primary Curriculum Support Programme**, SIAC Building, Monastery Road, Clondalkin, Dublin 22. Tel: 01 464 2227 Email: eolas@pcsp.ie Website: www.pcsp.ie



Department of Education and Science Circulars

The last revised issue of the *Rules for National Schools* was issued in 1965. Since then many additions and changes to the Rules have been made by way of Circulars from the Department of Education and Science. There is no up to date publication containing all the current rules. However all the circulars are available on the Department of Education and Science website www.education.ie

Some circulars of particular interest to parents:

Circular24/91 “Parents as Partners in Education”

Circular 20/90 “Guidelines Towards a Positive Policy for School Behaviour and Discipline”

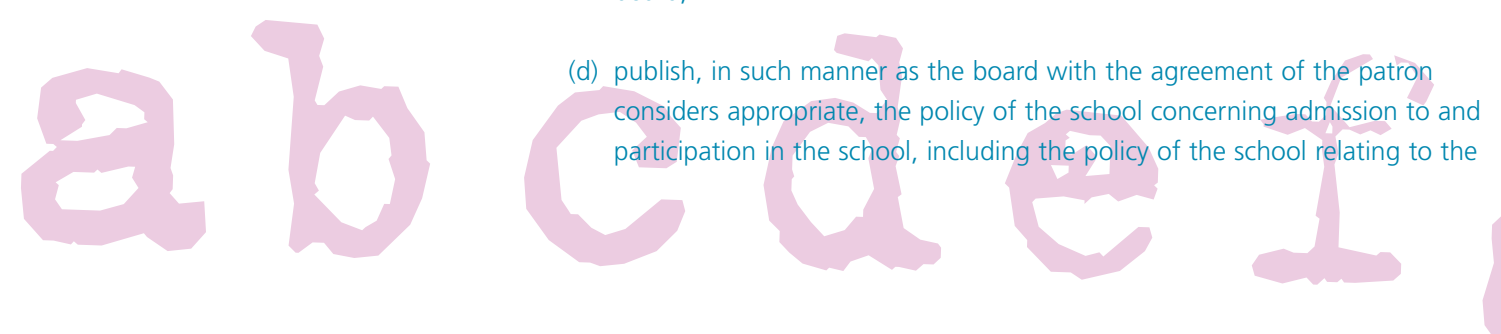
Circular 35/91 and M54/91 “School Books Loan Rental Scheme”

Circular 7/87 “Promotion and Marketing of Commercial Products through Schools”

Appendix I

Section 15 of the Education Act 1998 states (1) It shall be duty of the board to manage the school on behalf of the patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that board has responsibility.

(2) A board shall perform the functions conferred on it and on a school by this Act and in carrying out its function the board shall

- (a) do so in accordance with the policies determined by the Minister from time to time and
 - (b) uphold, and be accountable to the patron for so upholding the characteristic spirit of the school as determined by the cultural, educational, moral, religious, social, linguistic and spiritual values and traditions which inform and are characteristic of the objectives and conduct of the school, and at all times act in accordance with any Act of the Oireachtas or instrument made thereunder, deed, charter, articles of management or other such instrument relating to the establishment or operation of the school,
 - (c) consult with and keep the patron informed of decisions and proposals of the board,
 - (d) publish, in such manner as the board with the agreement of the patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the
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expulsion and suspension of students and admission to and participation by students with disabilities or who have other special education needs, and ensure that as regards that policy principles of equality and the right of parents to send their children to a school of the parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerns, are complied with,

- (e) have regard to the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society,
- (f) have regard to the efficient use of resources (and, in particular, the efficient use of grants provided under section 12), the public interest in the affairs of the school and accountability to students, their parents, the patron, staff and the community served by the school, and
- (g) use the resources provided to the school from monies provided by the Oireachtas to make reasonable provision and accommodation for students with a disability or other special educational needs, including, where necessary, alteration of buildings and provision of appropriate equipment.

(3) For the avoidance of doubt, nothing in this Act shall confer or be deemed to confer on the board any right over or interest in the land and buildings of the school for which the board is responsible.

Appendix 2

Procedures for the nomination/election of a parent(s) for appointment by the Patron as parent representative(s) on the Board

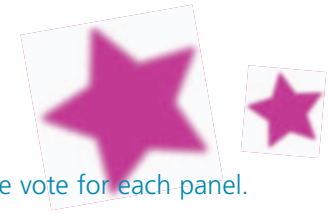
When circulating details of nominees put forward for appointment of parents' representatives on a board, Boards of Management should exercise vigilance and be aware of their obligations arising from the Data Protection Act, 1988 and 2003 and the need to ensure full compliance with the Act in relation to the collection, use and disclosure of any processed personal data. As the responsibility for interpreting and observing the Act rests with each individual school, institution or education body, these bodies should familiarise themselves fully with the provisions of the Act.

The Act is designed to protect the privacy of individuals with regard to automated personal data and to give effect to this country to the Council of Europe Convention of the Protection of Individuals with regard to the Automatic Processing of Personal Data (1981).

The method of election of parent representatives shall be determined in consultation with the parent representatives on the outgoing Board and any parents' association in the school.

There is a choice of two procedures, which can apply and are as set out at options 1 and 2.

Note: To ensure the widest possible representation, where practicable, both parents should be from separate families and bear no relationship to any other member of the board and be elected by the general body of parents of children enrolled in the school.



Option 1

1. The Patron's representative shall arrange for a meeting of parents of children enrolled in the school. At least ten days' notice of such a meeting shall be given in writing to each person entitled to vote at such a meeting. This notification shall
 - (i) indicate that at the meeting nominations will be sought from parents for persons to stand for election as parent representatives on the board
 - (ii) clarify whether there will be a ballot at the meeting to elect the representatives or whether the ballot will be conducted subsequently as a postal ballot
 - (iii) where it is intended to have a postal ballot, indicate the latest date for return of ballot papers and the date, time and place of the public counting of votes.
2. At the meeting nominations should be invited for both a mothers' panel and a fathers' panel.
3. If there is only one nominee for either panel, the nominee(s) shall be deemed to be elected.
4. If more than one nomination is received for either of the panels, a secret ballot shall be held at the meeting or subsequently. Two tellers shall be appointed, one of whom may act as Returning Officer in the case of a postal ballot.
5. In the event of a postal ballot, the poll must close and the casting of votes take place within ten days of the meeting.

6. Each person voting shall have one, non-transferable vote for each panel.
7. The votes shall be counted in public.
8. The election shall be determined on a plurality of votes (i.e. the first past the post system).
9. The result of the ballot shall be notified to the parents and to the Patron's representative.
10. The voting returns from the ballot may be retained for the purposes of co-option in order to fill vacancies occurring during the life of the board where it is decided, having consulted the parents' association, not to have a by-election.

Option 2

1. The Patron's representative shall arrange to have a list of the names of all the parents of children in the school circulated to each household, seeking from parents and guardians nominations of candidates for election to the Board of Management. This list should associate parent names with the classes attended by their children.
2. Each parent may make one nomination for the fathers' panel and one for the mothers' panel, which shall be forwarded to the Patron's representative in order that a list may be drawn up of the ten persons in receipt of the highest number of nominations for each panel.
3. The invitation to parents to submit nominations shall request parents to establish that the person(s) nominated are willing to stand for election.

4. If there is only one nominee for either panel, the nominee(s) shall be deemed to be elected.
5. If more than one nomination is received for either of the panels, a secret ballot shall be held and parents may vote for those nominees who have confirmed their willingness to become members of the board.
6. Those accepting nomination should be encouraged to furnish a short personal profile for inclusion on the ballot paper which may include an address and telephone number. However, the requirements of the Data Protection Act 1988 require that the Board must seek permission for the circulation of such personal information from those accepting nomination.
7. Separate ballot papers should be used for the election of one mother and one father. Each person voting shall have one, non-transferable vote for each panel. Arrangements should be made to distribute and collect the ballot papers from those eligible to vote and to nominate a person of standing as Returning Officer. The notification of the ballot should also indicate the date, time and place for the counting of the ballot.
8. The votes shall be counted in public.
9. The election shall be determined on a plurality of votes (i.e the first past the post system) and the result of the ballot shall be notified to the parents and to the Patron's representative.
10. The voting returns from the ballot may be retained for the purposes of co-option in order to fill vacancies occurring during the life of the board where it is decided, having consulted the parents' association, not to have a by-election.

Vacancies among parent representatives

When a vacancy occurs among parent representatives, the Board of Management having consulted with the parents' association may recommend to the Patron either

- (i) the co-option as a replacement the person with the next highest number of votes from among those not elected to the board initially or
- (ii) the Board of Management may recommend a by-election to replace the parent representative.

This procedure should be used for the initial selection of a parent representative(s) and in the case of any by-election held following consultation with the parents' association.

Appendix 3

INTO / CPSMA COMPLAINTS PROCEDURE

The Irish National Teachers' Organisation and the Catholic Primary School Managers' Association reached agreement in 1993 on a procedure for dealing with complaints by parents against teachers. The purpose of the procedure is to facilitate the resolution of difficulties where they may arise in an agreed and fair manner. The agreement lays out in five stages the process to be followed in progressing a complaint and the specific timescale to be followed at each stage.

Important note

Revised procedures for processing complaints by Parents will be prescribed for all schools under Section 28 of the Education Act 1998. When available, the revised procedures will be sent to each school and will replace the procedures printed here.

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:

- (i) on matters of professional competence and which are to be referred to the Department of Education;
- (ii) frivolous or vexatious complaints and complaints which do not impinge on the work of a teacher in a school; or
- (iii) complaints in which either party has recourse to law or to another existing procedure.

Unwritten complaints not in the above categories may be processed informally as set out in Stage 1 of this procedure.

Stage 1

- 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.
- 1.2** Where the parent/guardian is unable to resolve the complaint with the class teacher she/he should approach the Principal with a view to resolving it.
- 1.3** 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.

Stage 2

- 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.
- 2.2** 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 5 days of receipt of the written complaint.

Stage 3

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

Stage 4

- 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 in 3.1(b).
- 4.2 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.
- 4.3 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 any 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 would 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 would be entitled to be accompanied and assisted by a friend at any such meeting; and
 - (f) the meeting of the Board of Management referred to in (d) and (e) will take place within 10 days of the meeting referred to in 3.1(b).

Stage 5

- 5.1 When the board has completed its investigation, the Chairperson should convey the decision of the board in writing to the teacher and the complainant within five days of the meeting of the board.
- 5.2 The decision of the board shall be final.
- 5.3 This Complaints Procedure shall be reviewed after three years.
- 5.4 CPSMA or INTO may withdraw from this agreement having given the other party three months' notice of intention to do so.

In this agreement 'days' means schools days.

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