

Appendix 7

(ii) General Scheme of an Education (Parent and Student Charter) Bill 2016

ACCS welcomes the spirit of the Charter for Parent and Student. The Charter brings clarity to the expectations of the educational provision provided in schools. However, in placing such a Charter on a legislative footing it is necessary to be aware of the responsibility placed on each individual school Board of Management in developing their Charter. It is also important to ensure that the procedures that flow from such a Charter are not cumbersome and must be possible to complete in a timely and cost effective manner for all parties involved.

We would remark that in our schools there are systems in place that work very effectively to ensure that students and parents have their grievances / complaints addressed promptly and fairly.

The current code of practice in our sector for dealing with complaints is an agreed code between the following partners:

- The Parents Association of Community & Comprehensive Schools
- (PACCS) The two teacher unions: ASTI and TUI
- The Association of Community & Comprehensive Schools (ACCS)

Our experience to date with a national system developed (that superseded a sectoral system) to deal with Section 24.3 of the Education Act 1998 (Procedures for Suspension and Dismissal of Teachers) has been problematical.

- Time: Competence / Conduct issues that proceed through the stages of the procedure to the end will take from in excess of one year to in excess of two years to complete.
- Cost: Inevitably, legal costs are incurred by schools in the later stages of the procedure.
- There are several stages to progress through in order to reach a satisfactory outcome.

The Guidelines to be developed need to be fit for purpose and school boards will need adequate resources of time and finance to develop and implement the procedures.

The vast majority of schools operate in a very caring and inclusive environment within current structures.

Comments:

Head 3:

2 (v) Consulting students and parents regularly in relation to school costs and working to avoid costs acting as a barrier to participation;

- In the Community & Comprehensive Sector there are no fees and costs will never be a barrier to participation.
- We are unsure what is envisaged in this 'consultation'.
- The majority of Community and Comprehensive Schools operate book rental schemes and/or free book schemes to ensure the cost of texts are not a burden on families.
- The most recent survey of parents carried out at the request of the Minister of the Day showed the vast majority of students and parents were happy with uniform arrangements in our schools. They were seen as cost effective.
- Schools have been starved of finance over the past seven years. There has been an 11% cut in funding from the DES. Any legislation needs to be cognisant of the fact that schools are not in the business of wasting money and urgently need an increase in Capitation Funding to retain essential services.

2 (x) Operating quality assurance;

We request further clarification on this statement. Is this based on School Self-Evaluation / External Inspectorate Evaluation or is there a role envisaged for QQI here?

We believe that the role and responsibility of the parent needs further clarification in the Charter.

We would recommend the following paragraph to be inserted as follows:

2 (xv) Parents will co-operate with the Parent and Student Charter and recognise their responsibilities to be active and involved in their child's education.

Head 4:

12(i) how boards may respect student voice having regard to the age and experience of the students.

We support real engagement between the Student Council and the Board of Management. This engagement is already happening in many schools with the Board receiving regular reports from the Student Council or indeed the Board meeting with the Student Council.

Our experience is that an active Student Council can be a powerful positive influence on the culture and student experience in a school. We encourage and commend the excellent work of these councils.

School boards have onerous governance responsibilities. It is not appropriate that minors be involved in making decisions regarding employment, discipline, finance.

Head 6:

We have experience of the intervention of the Ombudsman for Children in decisions of boards. Any investigations, findings and recommendations of the Ombudsman are, to our knowledge, very seriously considered by our boards and our schools accept the recommendations and advice given.

We expect that the Minister would rarely be required to give a direction in writing to the board in relation to matters conveyed to the Minister by the Ombudsman for Children.

Head 7:

Re the deletion of Section 9 (2) of the Ombudsman for Children Act, 2002.

Since Section 28 will be enacted on foot of this Bill, it appears that, for the first time, the paragraph 9 (2) makes sense. By deleting it could it be interpreted that the Ombudsman could become involved in an issue prior to the school having finalised procedures under Section 28?