

SCHEDULE 1

Constitution of a Complaints Tribunal

Membership

1. Subject to the provisions of this Schedule a complaints tribunal shall consist of three members appointed by the EA from a panel of persons established by the EA for that purpose.
2. The persons on a panel referred to in paragraph 1 shall comprise—
 - (a) persons appearing to the EA to have experience in education; and
 - (b) parents of registered pupils at a school, but shall not include any person employed by the EA otherwise than as a teacher.
3. A complaints tribunal shall comprise of at least one person falling within paragraph 2(a).

Chair

4. The members of a complaints tribunal shall elect one of their number to be the chairperson of the tribunal.

Disqualification from membership

5. A person shall not be a member of a complaints tribunal if that person—
 - (a) is a member of either the EA or the Board of Governors, as the case may be, against which the complaint is being made, or was such a member at the time when the circumstances giving rise to the complaint first arose; or
 - (b) is an employee of the EA, otherwise than as a teacher, or was such an employee at the time when the circumstances giving rise to the complaint first arose; or
 - (c) is a person employed to work in the school against the Board of Governors of which the complaint is being made, or was so employed at the time when the circumstances giving rise to the complaint first arose; or
 - (d) is the parent of a registered pupil at a school against the Board of Governors of which a complaint is being made, or was such a parent when the circumstances giving rise to the complaint first arose; or
 - (e) is an employee of the Department.

SCHEDULE 2

Procedure of a Complaints Tribunal

1. A complaint against the EA or a Board of Governors of a relevant school shall be by notice in writing, sent to such address of the EA as it may specify, setting out the grounds on which that complaint is made.
2. A complaints tribunal shall normally hear a complaint within 20 working days beginning with the date on which it receives that complaint.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Representation

3. A complaints tribunal shall give the complainant an opportunity to make written representations and shall afford the complainant or their representative an opportunity of appearing and making oral representations.

4. A complaints tribunal shall give the respondent an opportunity to make written representations and shall afford a representative of the respondent an opportunity of appearing and making oral representations.

Order of Oral Representations

5. The chairperson of a complaints tribunal shall determine the order of the making of oral representations to it.

Hearing

6. A complaint shall be heard in private except where the complaints tribunal determines otherwise.

Majority decision

7. In the event of disagreement between the members of a complaints tribunal any matter under consideration shall be decided by a simple majority.

Other procedural matters

8. Except as otherwise provided by Schedule 1 and paragraphs 1 to 7, all matters relating to the procedure on the hearing or determination of complaints shall be determined by the complaints tribunal.