

3rd Heswall Group Constitution

This constitution is adapted from the Scout Association Policy, Organisation & Rules (POR)
<https://www.scouts.org.uk/>

Part 1- context

The Purpose of Scouting

Scouting in the UK is organised through The Scout Association. The Scout Association has a clear purpose: 'Scouting exists to actively engage and support young people in their personal development, empowering them to make a positive contribution to society.'

The Scout Association's method of meeting the purpose of Scouting is through the balanced programme.

The Scout Method

Scouting uses a Method, which is young people, in partnership with adults:

- enjoying what they are doing;
- learning by doing;
- participating in varied and progressive activities;
- making choices for themselves;
- taking responsibility for their own actions;
- working in groups;
- taking increasing responsibility for others;
- taking part in activities outdoors;
- sharing in prayer and worship;
- making and living out their Promise.

The Balanced Programme

The balanced programme provides a framework for the progression of training, activities and awards that covers everything that young people do in Scouting from the ages of 6 to 25. It involves helping young people to grow through six tailored programme zones: Community, Global, Beliefs and Attitudes, Outdoor and Adventure, Creative Expression and Fit for life.

The Programme is everything we do as Scouts – it includes the activities and the badges, the challenges and awards.

Constitution of the Group

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Key Policies

The Scout Association has adopted key policies relating to:

- Vetting
- Child Protection
- Anti-Bullying
- Safety
- Equal Opportunities
- Religion
- Development.

These can be found in the latest edition of the POR.

Structure of the Scout Association

Scouting in the United Kingdom is organised in Scout Groups, Scout Districts, Scout Counties and Country Headquarters. These units of Scouting provide:

- Support
- Channels for communication
- Opportunities for youth Members and adults to make decisions and take responsibility;
- Functional units through which the design and delivery of the youth programme can be best achieved.

The Scout Group is the local organisation for Scouting. It combines together the different sections and comprises of one or more of any or all of the following:

- A squirrel Drey
- a Beaver Scout Colony
- a Cub Scout Pack
- a Scout Troop.

A group can also consist of any number of sections in the different age groups. All sections in a Scout Group provide co-educational Scouting.

Additionally, a Group may also include one or more Group Scout Active Support Units. An Explorer Scout Unit may also be attached to a Scout Group.

Registration of Scout Groups

A Scout Group cannot exist unless it has a current registration with the Scout Association. Registration is renewed annually by completing and submitting an annual registration and census return as directed by Headquarters. Registration renewal also requires the payment of the Headquarters Membership Subscription and any District, and County Membership Subscriptions payable.

The registration, suspension, and alteration or cancellation of registration are matters for the appropriate District Lead Volunteer and District Trustee Board.

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Charity Law does not permit a Scout Group to transfer from the Scout Association to any other body whether calling itself a Scout organisation or by any other name.

Our Aim

The aim of 3rd Heswall Scout Group is to provide Scouting to children/young people in the Pensby and Heswall areas of West Wirral from age 6 to 14.

Part 2: Management of 3rd Heswall Scout Group

3rd Heswall Scout Group is an autonomous organisation holding its property and equipment and admitting young people to membership of 3rd Heswall Scout Group subject to the POR of The Scout Association.

3rd Heswall Scout Group is a not-for-profit organisation and is a Registered Educational Charity (charity number 1033012). 3rd Heswall Scout Group is led by a Group Lead Volunteer and managed by a Group Trustee Board. They are accountable to the Group Scout Council for the satisfactory running of the Group.

3rd Heswall Scout Group is sponsored by Our Lady & St John with Holy Family parish churches. This relationship carries no management nor financial support.

The Group Lead Volunteer is assisted and supported by the Group Leadership Team and Group Supporters in the delivery of the balanced programme for young people within the Group.

The Group Scout Council

The Group Scout Council has a governance role for the charity and, in particular, makes Group Trustee Board appointments other than ex officio and co-opted appointments

The Group Trustee Board is responsible for the governance of the charity. Although the Group Trustee Board is responsible for the charity, it is accountable to the Group Scout Council.

The Group Scout Council has no Trustee responsibilities.

The purpose of the Group Scout Council is to:

- Approve the Group Lead Volunteer's nomination for the Group Chair and other nominated members of the Group Trustee Board.
- Elect a Group Treasurer.
- Elect other members to the Trustee Board
- Receive and approve of the annual statement and report of accounts as presented by the Group Treasurer.
- Receive from the Group Scout Leader an overview of the past 12 months of activity in the Group
- Appoint an auditor, independent examiner or scrutineer of the annual accounts where appropriate
- Provide a forum for parents, members and other associates of the group to ask questions of the Group Trustee Board Members and Leadership Team.

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The ex officio members of the Group Scout Council are members by virtue of their role in The Scouts:

- all adult members of the Group – see Group roles listed in the Chapter 16 Roles Table of The Scout Association's Policy, Organisation and Rules
- all Patrol Leaders of the Troop(s) in the Group
- all parents or carers of Squirrels, Beavers, Cubs and Scouts in the Group
- all Explorers, if so stated in a Partnership Agreement between the Unit, the Group and the District
- all parents and carers of Explorers, if so stated in a Partnership Agreement between the Unit, the Group and the District
- the Sponsoring Authority, where there is one, or its nominee
- the District Lead Volunteer
- the District Chair

b) The appointed members of the Group Scout Council are other supporters of the Group appointed by the Group Scout Council on the recommendation of the Group Lead Volunteer and the Group Trustee Board. The number of appointed members must not exceed the number of ex officio Group Scout Council members (see also (f) below). A Group Scout Council does not need to have any appointed members.

c) The community members of the Group Scout Council are representatives of the local community appointed because of their role rather than by their name. For example local headteachers, or Parish Council members. They are appointed by the Group Scout Council on the recommendation of the Group Scout Leader and the Group Trustee Board. The number of community members must not exceed the number of ex officio Group Scout Council members (see also (f) below).

d) The County Commissioner has the right of attendance at each Group Scout Council meeting in the County. e) Membership of the Group Scout Council ends when the:

- member resigns
- member no longer qualifies as a member of the Group Scout Council
- Group Scout Council is dissolved
- Group Scout Council membership is terminated by UK Headquarters following a recommendation by the Group Trustee Board.

f) The total number of appointed and community members of a Group Scout Council must not exceed the number of ex officio members.

g) Appointed members of a Group Scout Council must each have a fixed period for their appointment of not more than three years. Subsequent reappointments are permitted.

h) Community members of a Group Scout Council are initially appointed for a term of one year, though they may be renewed annually at the AGM.

i) Group Trustee Board administration must ensure that appointed Group Scout Council Members are recorded locally in the minutes of the Group Scout Council meeting which appoints them

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(normally the AGM). Scout Council members (whether ex officio or appointed or community) must not be recorded as Scout Council Members on The Scout Association's membership system

The Group Trustee Board

The Scout Group is led by the Group Lead Volunteer and managed by a Group Trustee Board. Trustee Boards are set up to focus solely on the governance of the Group. They are accountable to the Group Scout Council for the satisfactory running of the Group.

The Group Lead Volunteer is assisted and supported by the Group Leadership Team in the delivery of the high-quality balanced Programme for young people within the Group.

The Group Trustee Board must act in the charity's best interests, acting with reasonable care and skill and take steps to be confident that:

a) The charity is:

- well managed
- carrying out its purposes for the public benefit
- complying with the charity's governing document and the law
- managing the charity's resources responsibly

b) the charity is operating compliant with POR and the local charity regulator, including effective management of each of the Key Policies listed in Chapter 2 of The Scout Association Policy, Organisation and Rules.

c) young people are meaningfully involved in decision making at all levels

d) the Group has sufficient resources (funds, people, property and equipment) available to meet the planned work of the Group including delivery of the high quality programme and resource requirements of the training programme (Rule 4.2.2 of The Scout Association Policy, Organisation and Rules)

The Group Trustee Board members must themselves collectively:

a) develop and maintain a risk register, including putting in place appropriate mitigations

b) ensure that the Group's finances are properly managed, including development and maintenance of appropriate budgets to support the work of the Group

c) maintain and manage:

- a reserves policy for the charity including a plan for use of reserves outside the 'minimum'
- an investment policy for the charity
- a public benefit statement for the charity

d) ensure that people, property and equipment are appropriately insured, and that any property and equipment owned or used by the Group is properly protected and maintained

e) ensure the appointment and management and operation of any subcommittees, including appointing a Chair to lead the sub-committee. This should normally be one of the Group's Trustees.

f) ensure that effective administration is in place to support the work of the Group Trustee Board

g) appoint any co-opted members of the Group Trustee Board

h) ensure transparency of operation, including:

- prepare and approve the Annual Accounts and arrange their examination by an auditor, independent examiner or scrutineer (as appropriate) and as appointed by the Group Scout Council at their AGM
- prepare and approve the Group Trustees' Annual Report (which must include the Annual Accounts and include the report from the auditor, independent examiner or scrutineer)
- present the approved Group Trustees' Annual Report and Annual Accounts to the Group Scout Council for their consideration at the Group's AGM
- following the Group AGM, ensure that a copy of the Group Trustees' Annual Report and Accounts is sent to the District Trustee Board administration (see 5.4.7.9) and, if the Group is a registered charity, is filed with the appropriate charity regulator (if the regulator's rules require it).

i) take responsibility for the Group's adherence to Data Protection Legislation recognising that, dependent on circumstances, it will at different times act as a Data Controller and as a Data Processor

j) individually and collectively maintain confidentiality regarding appropriate Group Trustee Board business

k) put in place annually an open and transparent selection process to recommend to the Group Scout Council appropriate members to be appointed members of the Group Trustee Board, including Chair and Treasurer. Vacancies for appointed Trustees only occur at the end of their period of appointment (for example, a Trustee may have been appointed for three years and so does not need to be re-appointed or re-selected after years 1 and 2).

l) where staff are employed:

- act as a responsible employer in accordance with the Scouts' values and relevant legislation
- ensure that effective line management is in place for each employed staff member and that these are clearly established and communicated
- ensure that appropriate specific personnel insurance is in place

A Group Trustee Board may create sub-committees it deems necessary to support its governance function. The Group Trustee Board must ensure that for any sub-committee it appoints:

- a. its purpose is governance-focused and not operational
- b. its members are agreed and approved by the Group Trustee Board
- c. the Group Trustee Board Chair is an ex officio member

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d. the Group Lead Volunteer is an ex officio member

Sub-committee members are not Trustees unless they are already members of the appointing Group Trustee Board.

All sub-committee members must be recorded on the membership system.

The Group Trustee board consists of:

- **Group Lead Volunteer**
- **Group Chair** (Nominated by the Group Lead Volunteer and approved by resolution of the Group Scout Council at the Annual General Meeting each year).
- **Group Treasurer** (Nominated by the Trustee Board and Elected by resolution of the Group Scout Council at the Annual General Meeting each year).
- **Other Trustees** (as appointed at the Annual General Meeting)
- **District Lead Volunteer, District Youth Lead**
- **Co-opted Trustees**

Subject to the conflict of interest rules (see Chapter 16 of The Scout Association Policy, Organisation and Rules, and the definition of 'conflict of interest' in the Definitions Chapter), a Trustee may be a member of more than one Trustee Board.

A Group Trustee Board should comprise a maximum of 12 Trustees (the total of all ex officio, appointed and co-opted Trustee Categories), with a minimum of five Trustees. The maximum number of Trustees should be agreed by the Group Scout Council at its AGM.

Each ex officio, appointed and co-opted member of the Group Trustee Board is a charity Trustee of the Group.

People invited to attend a meeting of the Group Trustee Board, or with right of attendance, may be present at the meeting but are not charity Trustees and have no voting rights.

Certain people are disqualified from being charity trustees by virtue of the Charities Acts.

All Trustees must complete learning as specified in Rule 16.2.1, 16.2.3, 16.2.4 of The Scout Association Policy, Organisation and Rules and the Chapter 16 Roles Table. of The Scout Association Policy, Organisation and Rules

It is good practice for a Group Trustee Board, and any sub committees, to have at least two Trustees aged between their 18th and 25th birthdays.

Each Group Trustee Board requires effective administration.

The administration may be provided by one or more persons as appropriate to the Group.

The selection processes leading to appointment of Group Trustees must include a rigorous and transparent selection process, which includes advertising vacancies widely.

The Group Lead Volunteer is an ex officio member of the Group Trustee Board.

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There is only one ex officio Trustee role for a Group Lead Volunteer, so where there are joint role holders for Group Lead Volunteer, the role holders must decide, in discussion the Group Chair, which of them will be the ex officio Trustee. However, each Group Lead Volunteer role holder must be eligible to be a Trustee (as specified in 16.1.1.5 of The Scout Association Policy, Organisation and Rules).

The Group Trustee Board must initiate a selection process to propose a Group Chair to the Group Scout Council for appointment at their AGM. Vacancies for the role of Group Chair only occur at the end of their period of appointment (for example, a Chair may have been appointed for three years and so does not need to be re-appointed or re-selected after years 1 and 2).

The proposal from the Trustee Board is received by the Scout Council at their AGM. The proposal from the Trustee Board does not require seconding by a member of the Scout Council. The action of the Scout Council is to approve (or not) the proposed name from the Trustee Board.

The Group Trustee Board must initiate a selection process to propose a Group Treasurer to the Group Scout Council for appointment at their AGM. Vacancies for the role of Group Treasurer only occur at the end of their period of appointment (for example, a Treasurer may have been appointed for three years and so does not need to be reappointed or re-selected after years 1 and 2).

The proposal from the Trustee Board is received by the Scout Council at their AGM. The proposal from the Trustee Board does not require seconding by a member of the Scout Council. The action of the Scout Council is to approve (or not) the proposed name from the Trustee Board.

The appointed members of a Group Trustee Board are persons appointed by the Group Scout Council at the Group's AGM. This should follow a selection process initiated and overseen by the Group Trustee Board. Vacancies for the role of Trustee only occur at the end of their period of appointment (for example, a Trustee may have been appointed for three years and so does not need to be re-appointed or re-selected after years 1 and 2).

The proposal from the Trustee Board is received by the Scout Council at their AGM. The proposed name(s) from the Trustee Board do not require seconding by a member of the Scout Council. The action of the Scout Council is to approve (or not) the proposed name(s) from the Trustee Board.

The co-opted members of a Group Trustee Board are persons coopted annually by the Group Trustee Board. They are not appointed by the Group Scout Council at its AGM. The number of co-opted members must not exceed the actual number of appointed Trustees (excluding Chair and Treasurer).

The District Lead Volunteer, the District Chair and the County Lead Volunteer each have the right of attendance at meetings of each of the Group Trustee Boards in the Districts in the County.

The Sponsoring Authority, or its nominee, has right of attendance at a Group Trustee Board.

Term limits for Trustees are specified in POR rule 5.3.1.6.

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If a Trustee Board Chair or Treasurer resigns, then Rule 16.6.3 of The Scout Association Policy, Organisation and Rules must be followed.

Group Trustee Board Conduct of meetings

Meetings of the Group Trustee Board should be convened on at least two weeks' notice. Meetings may be convened on shorter or no notice with the agreement of at least half of the members of the Group Trustee Board.

Trustee Board meetings are chaired by the Group Chair. If the Group Chair is unable to be present, they may appoint a delegate to chair a meeting of the Group Trustee Board subject to such appointment being approved at the start of the meeting by a majority of the members present at the meeting.

Only members of a Group Trustee Board as defined in POR Rule 5.4.7 may vote in its meetings.

The quorum for a meeting of a Group Trustee Board is one third of the Trustees (ex officio plus appointed plus co-opted) plus one. If there is no quorum present at a meeting of the Group Trustee Board, the meeting must be closed and reconvened at the earliest opportunity.

In the case of a sub committee of the Group Trustee Board, the quorum for each sub committee must be set by the Group Trustee Board, based on the size of the sub committee and the complexity of its task(s).

Decisions are made by a majority of votes cast by those present at the meeting. In the event of an equal number of votes being cast on either side, the meeting Chair does not have a casting vote and the matter is taken not to have been carried.

In order to discharge their responsibilities, the Group Trustee Board may meet by telephone or video conference as well as face to face when agreed by the Group Chair. This includes 'hybrid' meetings, where some members are present at an agreed meeting place and others join by telephone or video.

Where urgent matters arise between scheduled meetings of the Group Trustee Board and if it is not practicable to convene a meeting of the Group Trustee Board then an electronic voting method (such as email) is allowed for decision making of the Group Trustee Board when deemed appropriate by the Group Chair. In such circumstances, at least 75% of the members of the Group Trustee Board must approve the decision, and the outcome of the voting must be reported at, and recorded in the minutes of, the next Group Trustee Board meeting.

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Part 3: Financial management of 3rd Heswall Scout Group

The Group Trustee Board must ensure that proper financial planning and budgetary control is operated.

The Group Team must be consulted on the financial planning of the activities.

All expenditure not covered within the Group Trustee Board's budget or its contingencies must be approved by the appropriate Trustee Board to ensure that any financial liability incurred can be met.

When entering into any financial or contractual obligation or commitment with another party, the persons concerned should make it clear to the other party that they are acting on behalf of the Group and not in a personal capacity.

A statement of accounts must be prepared annually and be scrutinised, independently examined or audited as appropriate in accordance with these Rules.

The Group Trustee Board must ensure that signed copies of the Trustees' annual report and accounts are sent to the District Treasurer within the 14 days following the relevant Annual General Meeting at which the annual report and accounts were received and considered.

As the Group is a registered charity, a copy of the annual report and accounts must also be sent to the Charity Commission within ten months of the financial year end.

The annual statement of accounts must account for all monies received or paid on behalf of the Group. This will include all sections.

Disposal of assets

If the Group is closed, the Treasurer must prepare a statement of accounts at the effective date of closure.

The statement, together with all assets, must be handed to the District Treasurer as soon as possible after the closure date and must be supported by all books of accounts and vouchers. The Treasurer will ensure that the statement of account is properly scrutinised, independently examined or audited as appropriate.

Any assets or liabilities remaining after the closure of the Group will automatically pass to the District Scout Council which may use or dispose of these assets at its absolute discretion.

If there is any reasonable prospect of the Group being revived, the disposal of these assets may be delayed for such a period as it thinks proper with a view to returning them to the revived Group.

The Trustee Board is responsible for preserving the statements of account and all accounting records of the Group.

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