

1st Upton St Leonards Scout Group

GROUP CONSTITUTION



The 1st Upton St Leonards Scout Group is an unincorporated educational charity, excepted from registration with the Charity Commission by virtue of The Charities (Exception of Certain Charities for Boy Scouts and Girl Guides from Registration) Regulations 1961

Registered with the Scout Association – unit number 10016255

1st Upton St Leonards Scout Group

GROUP CONSTITUTION

1. Preamble

1.1 This constitution describes the role, membership and operation of the Scout Council, and the Trustee Board of the 1st Upton St Leonards Scout Group ("the Group").

1.2 In the interest of openness, especially for new members of the Scout Council, the Scout Council should re-adopt its constitution at each Annual General Meeting.

2. The Group Scout Council - membership

2.1 The Scout Council is the body which has charity governance responsibility for Scouting in the Group. The Trustee Board is accountable to the Scout Council.

2.2 Membership of the Scout Council does not provide membership of the Scout Movement.

2.3 There are three categories of membership of the Scout Council:

- a. Ex officio
- b. Nominated
- c. Right of attendance

2.4 A Secretary must ensure that nominated and co-opted Scout Council Members are recorded in the minutes of the Scout Council meeting which is normally the Annual General Meeting. Nominated Scout Council members must not be recorded on The Scout Association's membership system.

2.5 Ex officio Scout Council members must not be recorded as Scout Council Members on The Scout Association's membership system.

Group Scout Council membership

2.6 The ex officio members of the Group Scout Council are:

- a. all adult members of the Group – see Group roles listed in the Chapter 16 Roles Table in POR
- b. all Patrol Leaders of the Troop in the Group
- c. parents or carers of Squirrels, Beavers, Cubs and Scouts
- d. the District Commissioner
- e. the District Trustee Board Chair

2.7 The nominated members of the Scout Council are other supporters of the Group appointed by the Scout Council on the recommendation of the Group Scout Leader and the Trustee Board. The number of nominated members must not exceed the number of ex officio members.

2.8 A nominated member of the Scout Council must be appointed for a fixed period not exceeding three years. Subsequent reappointments are permitted.

2.9 The County Commissioner has a right of attendance at all Group Scout Council meetings in the County.

3. The Group Scout Council – Annual General Meeting

3.1 The Scout Council must hold an Annual General Meeting within six months of the end of the Group's financial year.

3.2 The Annual General Meeting must:

- a. Undertake governance oversight
 - adopt (or re-adopt) the constitution of the Group,
 - note the dates of the Group's financial year,
 - agree the number of members that may be elected to the Trustee Board
 - agree the quorum for each of:
 - meetings of the Scout Council
 - meetings of the Trustee Board
 - meetings of any sub-Committee
- b. Review the previous year
 - receive and consider the Trustees' Annual Report and the annual statement of accounts prepared by the Trustee Board.

The accounts must have completed their examination by an appropriate scrutineer.

The Trustees' Annual Report and Accounts presented to the Scout Council must include the formal report prepared by the scrutineer.

c. Make appointments

- approve the Group Scout Leader's nomination of the Chair of the Trustee Board
- approve the Group Scout Leader's nomination of members of the Trustee Board
- elect a Secretary to the Trustee Board.
- elect a Treasurer to the Trustee Board
- elect Trustees to the Trustee Board
- approve the appointment (or re-appointment) of any Presidents or Vice Presidents
- appoint (or re-appoint) a scrutineer.

3.3 Following each Annual General Meeting, the Secretary must ensure that:

- a. all nominated or elected Trustees are recorded on the membership system, as required by POR Rule 16.1.3
- b. the Trustee Annual Report and Accounts are filed as described in POR Rule 5.5

It is good practice for the Trustee Board to verify the draft Minutes of the Annual General Meeting at their first meeting following the Annual General Meeting, even though the minutes cannot be formally approved until the Group's next Annual General Meeting.

3.4 Governance roles must be distinct to help manage conflict of interest. This means that the roles of Chair and Treasurer must not be combined in any way.

4. Trustee Board – purpose

4.1 The Trustee Board is a team of volunteers who work together, as charity Trustees, to make sure the Group is run safely and legally. At the heart of their role is a focus on strategy, performance and assurance.

4.2 Effective Trustee support helps other volunteers run the Scout programme that gives young people skills for life.

4.3 Members of the Trustee Board must act collectively as charity trustees of their charity, and in the best interests of the Group's members.

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

a. The Group is:

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

b. the Group is operating in compliance with POR, including effective management of the Key Policies listed in chapter 2 of POR - The Equal Opportunities Policy, Privacy and Data Protection Policy, Religious Policy, Safeguarding Policy, Safety Policy, Vetting Policy, Youth Member Anti-bullying Policy.

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

d. there are sufficient resources (funds, people, property and equipment) available to meet the planned work of the Group, including delivery of the programme and the resource requirements of the training programme (Rule 4.2.2).

e. the Group has a positive image in the local community.

4.5 The 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 Group (including a plan for use of reserves outside the 'minimum')
- an investment policy for the Group
- a public benefit statement for the Group

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. promote and support the development of Scouting in the local area.
- f. ensure the appointment and management and operation of any sub-committees, including appointing a Chair to lead the sub-committee
- g. ensure that effective administration is in place to support the work of the Trustee Board
- h. appoint any Administrators, Advisers and co-opted members of the Trustee Board
- i. ensure transparency of operation, including:
 - prepare and approve the Annual Accounts and arrange their examination by a scrutineer as appointed by the Scout Council at their Annual General Meeting
 - prepare and approve the Trustees' Annual Report (which must include the Annual Accounts)
 - present the approved Trustees' Annual Report and Annual Accounts to the Scout Council at the Annual General Meeting (AGM)
 - following the AGM, ensure that a copy of the Trustee Annual Report and Accounts is sent to the District Trustee Board administration.
- j. take responsibility for 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.
- k. individually and collectively maintain confidentiality regarding appropriate Trustee Board business
- l. provide any necessary support to the Group Scout Leader, when required, to assist the opening, change, merging or closing of sections in the Group

4.6 The Trustee Board may create sub-committees to manage the work it deems necessary ensuring that:

- a. the purpose of each sub-committee is clear and has been agreed by the Trustee Board
- b. each sub-committee of the Trustee Board consists of members approved by the Trustee Board
- c. the Chair of the Trustee Board is an ex officio member of each sub-committee

d. the Group Scout Leader is an ex officio member of each sub-committee

Members of sub-committees are not Trustees unless they are members of the Trustee Board.

5. Trustee Board – membership

5.1 Ex officio, nominated, elected and co-opted members of the Trustee Board are charity Trustees of the Group.

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

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

5.4 All Trustees must complete training as specified in POR Rule 16.2.1 and the Roles Table.

5.5 The Trustee Board and any sub-committees should, wherever possible, have as full voting members at least two people aged between their 18th and 25th birthdays.

5.6 The ex officio members of the Trustee Board are:

- The Group Chair
- The Group Secretary (if appointed as a Trustee)
- The Group Treasurer
- The Group Scout Leader
- The Deputy Group Scout Leader (if appointed)
- All persons with a Section Leader role in a Squirrel, Beaver, Cub or Scout section in the Group, subject to that Section Leader stating to the AGM (in writing or orally at the meeting) that they are willing to be an ex officio member of the Group Trustee Board. (See also the introduction to Rule 4.6.)
- The Explorer Leader subject to that Explorer Leader expressly indicating to the AGM (in writing or orally at the meeting) that they are willing to perform such a function.

5.7 Where there are joint role holders (e.g. for Deputy Group Scout Leader), only one of the joint role holders should be an ex officio member of the Trustee Board. This must be decided jointly by the role holders in consultation with the Group Scout Leader and the Group Chair.

5.8 The elected members of the Trustee Board are persons elected by the Scout Council at the Annual General Meeting. The actual number of persons elected must be the subject of a resolution by the Scout Council at the AGM. There must be a maximum of six elected members.

5.9 The nominated members of the Trustee Board are persons nominated by the Group Scout Leader, in consultation with the Group Chair. The nominations must be approved at the Annual General Meeting. The number of nominated members must not exceed the actual number of elected members.

5.10 The co-opted members of the Trustee Board are persons co-opted annually by the Trustee Board. The number of co-opted members must not exceed the actual number of elected members.

5.11 The District Commissioner, the District Chair and the County Commissioner each have the right of attendance at meetings of the Trustee Board.

6. Trustee Board – Conduct of meetings

6.1 Only members of the Trustee Board as defined in 5 above may vote at meetings of the Trustee Board.

6.2 At its Annual General Meeting, the Scout Council must make a resolution defining a quorum for meetings of the Scout Council and the Trustee Board and its sub-Committees.

6.3 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 Chair does not have a casting vote and the matter is taken not to have been carried.

6.4 In order to discharge their responsibilities, the Trustee Board may meet by telephone and/or video conference as well as face to face when agreed by the appropriate Chair. This includes 'hybrid' meetings, where some members join by telephone or video.

6.5 Electronic voting (such as email) is allowed for decision making of the Trustee Board when deemed appropriate by the Chair (for example, where a pressing matter arises between meetings). In such instances at least 75% of its members must approve the decision, and the outcome of the voting must be reported and recorded in the minutes at the next Trustee Board meeting.

Adopted on