

This constitution has been created for 7th Elland Scout Group and has been built upon the Scouts Policy Organisation and Rules (POR) dated July 2023.

Scout units are governed by the POR, which provides the framework in which all Scout units operate. The Constitution is intended to ensure effective governance of the 7th Elland Group describes the role, membership and operation of the Scout Council and the Trustee Board.

Reference should always be made to the online edition of POR as this will be the most up to date version available and can be found at <https://www.Scouts.org.uk/por/>.

Any amendments that change POR Rule 5.4 - The Constitution of the Scout Group - are deemed to be automatically included in this Constitution.

BACKGROUND INFORMATION

The Purpose of Scouting

The purpose of the Scouts is to actively engage and support young people in their personal development, empowering them to make a positive contribution to society. By being in Scouts, adults and young people develop skills for life through participation in a programme, underpinned by our method.

The Scout Method

Scouting takes place when young people, in partnership with adults, work together based on the values of Scouting and:

- enjoy what they are doing and have fun;
- take part in activities indoors and outdoors;
- learn by doing;
- share in spiritual reflection;
- take responsibility and make choices;
- undertake new and challenging activities;
- make and live by their Promise.

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.

A Scout Group may comprise one or more of any or all of the following: a Drey of Squirrels; a Beaver Scout Colony; a Cub Scout Pack; a Scout Troop; and Explorer Unit, covering the ages of 4 - 18 years. Additionally, a Group may also include one or more Group Scout Active Support Units.

The Scout District

A collection of Scout Groups form a Scout District. Within a Scout District there is also an Explorer Scout unit and Scout Network.

The District is led by the District Lead Volunteer (previously District Commissioner) who is supported by Assistant District Lead Volunteer (previously Assistant District Commissioners), District Leaders, Advisers and Administrators. These volunteers provide guidance and support to Scout Groups and their Sections.

The District also has a District Scout Council, comparable in many ways to the Group Council, and a District Trustee Board.

Registration of Scout Groups

A Scout Group cannot exist unless it has a current registration with the Scout Association.

- Registration must be 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.
- Any changes necessary to the Registration of the Group will be made with the approval of the District Lead Volunteer after consultation with the District Trustee Board.

The registration of a Scout Group may be cancelled by Headquarters

- on the recommendation of the District Lead Volunteer and the District Trustee Board, following a meeting specially convened;
- if registration is not renewed at the time of the required annual renewal of registration;
- if the registration of the District is cancelled.

The Scout Group

Within a Scout Group, there will be a number of adult leaders who give their time voluntarily to help the development of young people. The Group is led by the Group Lead Volunteer, whose job is to co-ordinate the Group's activities and to ensure continuity and development.

A Group Scout Council meets at least once a year usually for an Annual General Meeting. The Council consists of all the adult Members of the Group, as well as the children's parents.

The Group also has a Trustee Board, who make sure the charity is well managed, risks are assessed and mitigated, buildings and equipment are in good working order, and everyone follows legal requirements and Policy, Organisation and Rules (POR).

The Trustee Board consists of the Chair, Treasurer, Ex officio Trustees, Nominated Trustees, Elected Trustees, Co-opted Trustees and Secretary (if appointed as a Trustee).

Key Policies

The Scout Association has adopted key policies relating to Child Protection, Anti-Bullying, Safety, Equal Opportunities, Religion and Development.

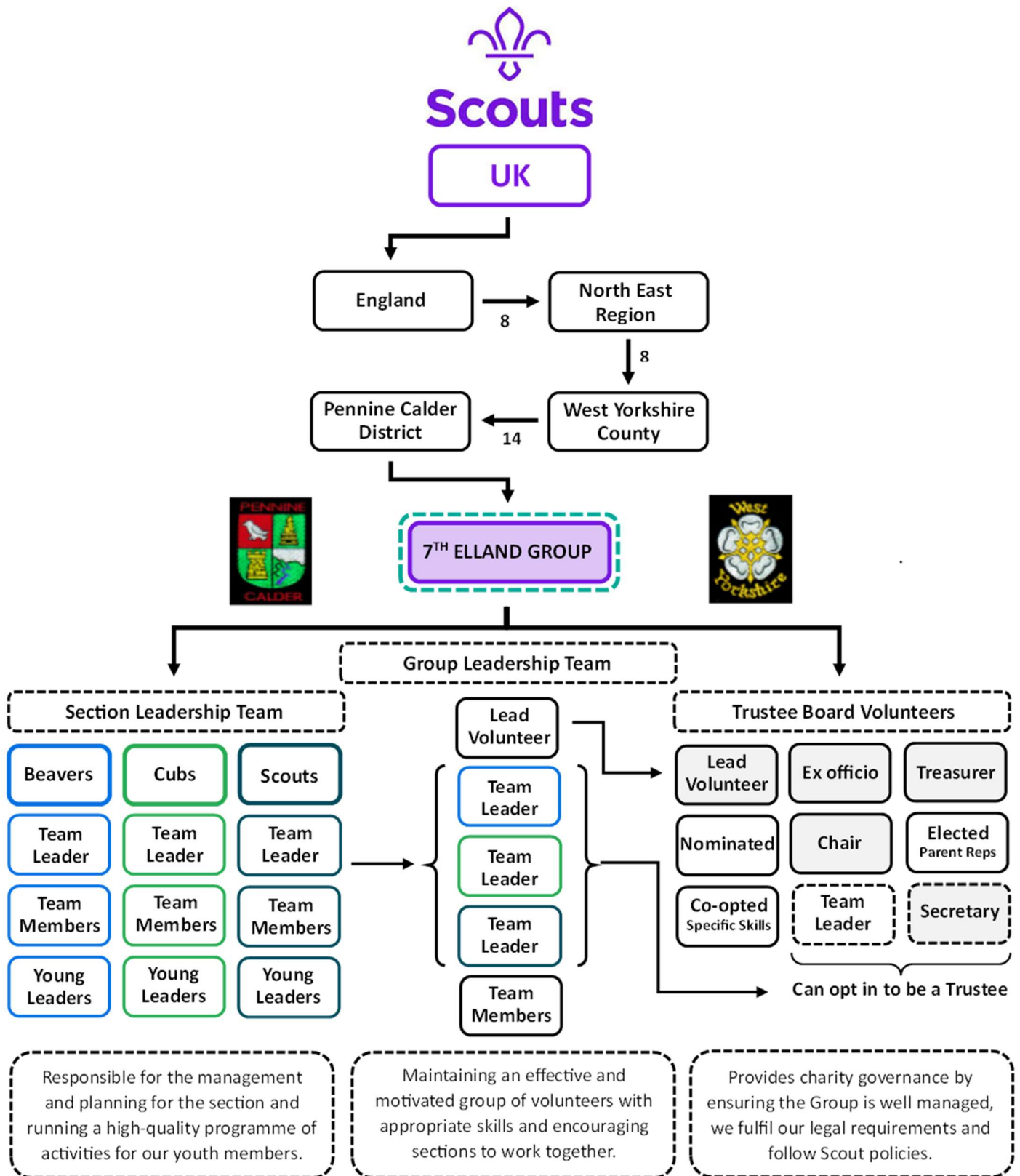
Rules

The Group's governing rules are those of the Scouts. They consist of a Royal Charter, which in turn gives authority to the Bye Laws of The Scout Association and the rules published in POR.

The Scout Group is a not-for-profit organisation run exclusively by volunteers. It is legally recognised as a Charitable Trust. All Scout Units are separate charities, although most are not required to register as such because they have been 'excepted' by a ruling of the Charity Commission.

The structure of Scouting in the UK

Showing the role different teams of volunteers play in the management, organization and governance of the Group



7TH ELLAND SCOUT GROUP

7th Elland is a registered member of The Scout Association and is part of the Pennine Calder District within the Scout County of West Yorkshire. The Group meets in the Hall at All Saints Church, Savile Road, Elland, HX5 0JF and aims to provide the experience of Scouting to young people in the local community between the ages of 6 and 14 years (the Group does not, currently, provide for a Squirrel or Explorer Unit).

The Group is a not-for-profit organisation run exclusively by volunteers. It is legally recognised as a charitable Trust and, through The Scout Association, is registered with the Charities Commission.

7th Elland Scout Group is an autonomous organisation holding its property and equipment and admitting young people to membership of 7th Elland Scout Group, subject to the policy and rules of The Scout Association.

The Group's governing rules and key policies are those of The Scout Association. A Royal Charter gives authority to the Bye Laws of The Association and the POR of The Scout Association.

The structure of the Group reflects changes introduced during the winter of 2023/24 as part of the Transformation Plan.

There are three bodies that operate within the Group:

- The **Group Scout Council** – The electoral body which supports Scouting in the Scout Group.
- The **Trustee Board** (previously known as The Executive Committee)- which exists to develop Scouts in keeping with its Charitable objectives, in the parameters of good governance, and is responsible for risk, business and finance as set out in POR.
- The **Team Leaders** (previously known as Section Leaders) - the body that organises, plans, co-ordinates and administers and manages the Scouting activities for the young people within each Section of the Group and led by the **Group Lead Volunteer** (previously known as Group Scout Leader). Whilst the Group welcomes young people who wish to work towards leadership, Leaders themselves must be aged 18 or over and have successfully completed recruitment process, safeguarding checks and relevant training.

A maximum size of individual Sections has been set taking into account the age of the young people and the size of the hall in which they meet.

Beaver Colony - maximum 20,

Cub Pack - maximum 24

Scout Troop – maximum 24.

It is possible that a Section may run for a short period of time with one or two extra members with the agreement of the Group Lead Volunteer.

The decision to admit anyone to membership of the Group rests with the GLV who will generally delegate responsibility for admissions to the Team Leader in charge of the relevant Section, but in exceptional circumstances may refer to the Trustee Board for guidance.

If a Leader is absent from the Group for 3 or more weeks with no communication, the GLV will attempt to contact them. If a further 3 weeks pass without legitimate reason/explanation the District Appointments Secretary will be contacted and this may result in a suspension of their warrant.

Should a Team Leader wish to take his/her own child, who is not a member of the association, with them on a Scout activity, that Leader must discuss this with the Trustee Board, giving sufficient notice for it to make a considered decision.

The Group Scout Council

The collective name for all adults and young people who actively support 7th Elland Scout Group is the Group Scout Council. It is the body to which the Trustee Board is accountable.

Membership of the Group Scout Council is open to:

- all adult members of the Group – see Group roles listed in Rule 16.7.1.
- all Team Leaders of the Troop(s) in the Group
- parents or carers of Beavers, Cubs and Scouts in the Group
- the Sponsoring Authority, where there is one, or its nominee
- the District Lead Volunteer
- the District Trustee Board Chair

Membership of the Group Scout Council ceases upon:

- The resignation of the member;
- The dissolution of the Council;
- The termination of membership by Headquarters following a recommendation by the Trustee Board.

The Annual General Meeting (AGM)

Is held by the Group Scout Council within six months of the end of the Charity's financial year.

The Annual General Meeting must:

- a. Undertake governance oversight
 - adopt (or re-adopt) the constitution of the charity Group, District or County as appropriate.
 - note the dates of charity's financial year.
 - agree the number of members that may be elected to the Trustee Board.
 - agree the quorum for each of:
 - o meetings of the Scout Council
 - o meetings of the Trustee Board
 - o meetings of any sub-Committees
- 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 auditor, independent examiner, or scrutineer
The Trustees' Annual Report and Accounts presented to the Scout Council must include the formal report prepared by the auditor, independent examiner, or scrutineer.
- c. Make appointments
 - approve the GLV's nomination of the Chair of the Trustee Board
 - approve the GLV'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) an auditor, independent examiner or scrutineer as required.

It is expected that anyone wishing to nominate themselves for election or wishing to stand down from a post should make their intention known to the GLV in a timely manner prior to the AGM.

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 Rule 16.1.3.
- b. the Trustee Annual Report and Accounts are filed as described in Rule 5.5.2.

7th Elland have adopted the 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 charity's next Annual General Meeting.

Trustee Board

Before becoming members of the Group Trustee Board, prospective members must be made aware of the qualifications for becoming and the responsibilities of being a charity trustee. Only persons aged 18 and over may be full voting members of the Group Trustee Board because of their status as charity trustees. Certain people are disqualified from being charity trustees by virtue of the Charities Acts. Charity trustees are responsible for complying with all the legislation applicable to charities.

All Trustees must complete training as specified in Rule 16.2.1.

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

Good trustee support helps other volunteers run the Scout programme that gives young people skills for life.

A Group Trustee Board must also provide any necessary support to the Group Lead Volunteer, when required, to assist the opening, change, merging or closing of Sections in the Group

Members of the Trustee Board must act collectively as Charity trustees of their Charity and in the best interests of the Charity and its members, taking reasonable care and skill 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, including effective management of the Key Policies listed in chapter 2 - 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, District or County (as appropriate) including delivery of the high quality programme and resource requirements of the training programme (Rule 4.2.2).
- e) the Scouts has a positive image in the local community.

The Trustee Board members must themselves collectively:

- a) develop and maintain a risk register, including putting in place appropriate mitigations
- b) ensure that the charity's finances are properly managed, including development and maintenance of appropriate budgets to support the work of the charity.

- 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 charity 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 an auditor, independent examiner or scrutineer as appropriate and 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 or County Trustee Board administration and, if a registered charity, is filed with the appropriate charity regulator (if the regulator's rules require it).
- 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) where staff are employed:
 - act as a responsible employer in accordance with Scouting's 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 must also:

Provide any necessary support to the Group Lead Volunteer, when required, to assist the opening, change, merging or closing of Sections in the Group

A 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 relevant Group, District or County Lead Volunteer is an ex officio member of each sub-committee.

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

Subject to the Conflict of Interest rules (see POR, Chapter 16 and the definition of 'conflict of interest' in the Definitions chapter), a Trustee may be a member of more than one Trustee Board.

Ex officio, nominated, elected and co-opted members of the Trustee Board are Charity Trustees of the Group, District or County as appropriate.

Those people invited to attend, or with right of attendance, may be present at the meeting but are not charity trustees and therefore have no voting rights.

Where possible Groups are encouraged to have at least two voting members of the Trustee Board aged between 18 and 25 years.

- a) The ex officio members of a Group Trustee Board are:
 - The Group Chair.
 - The Group Secretary (if appointed as a Trustee).
 - The Group Treasurer.
 - The Group Lead Volunteer.
 - The Deputy Group Lead Volunteer.
 - All persons with a Team Leader role in a Squirrel, Beaver, Cub or Scout Section in the Group, subject to that Team 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 the introduction to Rule 4.6.)
 - The Sponsoring Authority or its nominee.
 - Where there are joint role holders (eg for Deputy Group Lead Volunteer), only one of the joint role holders should be an ex officio member of the Group Trustee Board. This must be decided jointly by the role holders in consultation with the Group Lead Volunteer and the Group Chair.
- b) The elected members of a Group Trustee Board are persons elected by the Group Scout Council at the Group Annual General Meeting. The actual number of persons elected must be the subject of a resolution by the Group Scout Council at their AGM. There must be a maximum of six elected members.
- c) The nominated members of a Group Trustee Board are persons nominated by the Group Lead Volunteer, in consultation with the Group Chair. The nominations must be approved at the Group AGM. The number of nominated members must not exceed the actual number of elected members.
- d) The co-opted members of a Group Trustee Board are persons co-opted annually by the Group Trustee Board. The number of co-opted members must not exceed the actual number of elected members.
- e) 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.
- f) All persons becoming members of the Group Trustee Board must undergo the Scout Association's Appointments Procedure. This will involve completing an Adult Appointment Form which includes a Trustee Declaration and a Disclosure and Barring Service (formerly Criminal Records Bureau) Check and appropriate training for their role.

If a Trustee Board Chair, Secretary (if appointed as a Trustee) or Treasurer resigns, then Rule 16.6.3 must be followed.

7th Elland Scout Group is an educational charity. The following members of the Group Trustee Board are the charity trustees:

- Nominated members.
- Elected members.
- Co-opted members.
- Ex-officio members will be asked at the Annual General Meeting whether they wish to and are able to take on this responsibility. If they are not present at the meeting, they are able to submit their decision in writing.

Trustee Board - Conduct of meetings

Only members of a Trustee Board as defined in 5.4.5 may vote in meetings of the Trustee Board. 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.

The quorum for meetings of the Group Scout Council is 10 and must include the Group Lead Volunteer or Group Chair plus 2 other members of the Trustee Board.

The quorum for meetings of the Group Executive Committee is 6 and must include the Group Lead Volunteer or Group Chair.

The quorum for any sub-committees of the Trustee Board is a third of the membership of the sub-committee plus 1.

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.

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.

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.

Group Leadership Team Meeting

Membership of the Group Leadership Team consists of the Group Lead Volunteer as Chair, Section Team Leaders and Team Members. The role of the Group Leadership Team is to:

- consider the well-being and development of each Member of the Group,
- ensure the progress of each Member through the programme,
- plan and co-ordinate all the Group's activities,
- keep the Trustee Board advised of the financial and other resource requirements of the training programme.

FINANCE

Budgeting and Expenditure

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

The Group is moving towards managing all its financial administration via Online Scout Manager (OSM)

All expenditure not specifically delegated to the Sections must be approved by the Group Trustee Board to ensure that the Group can meet any liability so incurred. The Treasurer should be notified of any expenditure over £50 and Trustee Board approval is required for any expenditure over £100. It is good practice to bring to the Group Trustee Board any planned or likely expenditure over £100 for notification.

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.

When leaders make a purchase on behalf of the Group, they are required to complete an Invoice form on OSM and attach copies of their receipts. This should include details of the items purchased and which Section they were bought for. The Treasurer is expected to keep accurate records of all expenditure and in order to obtain reimbursement, it is therefore necessary to provide proof of purchase for all claims.

Funds administered by Sections

All funds administered by Sections remain the assets of 7th Elland Scout Group and must be consolidated into the Group accounts at the end of the financial year.

If for any reason a Section within the Group requires more money than they have available through income from the members in that Section then authorisation should be sought from the Trustee Board.

Bank Accounts

All monies received by or on behalf of the Group either directly or via supporters, is to be paid into a bank account held in the name of the Group. Under no circumstances must any monies received by a Section or supporter on behalf of the Group be paid into a private bank account.

The Group bank account(s) will be operated by the Group Treasurer and other persons authorised by the Group Trustee Board. A minimum of two signatories must be required for any withdrawals and these would normally include any two from the Treasurer, Chairman, Secretary and Group Team Leader.

Subscriptions and payment for activities

Subscriptions (subs) are paid monthly throughout the year. Changes to subscriptions charged by Sections of their members require the approval of the Group Trustee Board.

If a situation arises where the Group does not receive the monthly payment for a young person then a reminder will be sent to the parents. Following a second month without payment, the Treasurer will send an invitation to the parents to come and discuss the matter with them in confidence to try and establish what the Group are able to do to help ease the situation. No young person should be denied access to Scouting due to financial difficulties and the Group will do everything it can to work with families. However, lack of communication and continued non-payment may jeopardise the young person's position in the Group. A final communication will be sent if no alternative terms of payment have been agreed with the Treasurer who will advise the parents that the young person is unable to continue and their place will be offered to someone on the waiting list.

All activities and camps must be paid for in advance of the event and the Group reserve the right to withdraw a young person from an activity if full payment has not been received by the prescribed deadline. In situations where subscriptions are outstanding then a young person will not be considered for camps and activities outside our normal programme. All deposits are non-refundable. A nominal payment is required to secure a place. If a member signs up to an event and later cancels, they may still be required to make full payment depending on the circumstance and the event.

When a young person leaves the Group, it is the parent/carers' responsibility to cancel their direct debit set up in favour of the Group. If payments continue for a period of two months, the Treasurer will attempt to make contact with them and remind them that they need to contact their bank and cancel their mandate. If payments continue to be made then they will be treated as donations to the Scout Group and no refunds will be given.

Books of Account

As a recognised Charity, 7th Elland Scout Group is under a statutory obligation to keep proper books of account.

A statement of accounts must be prepared annually and be scrutinised, independently examined or audited as appropriate in accordance with the rules of the Scout Association. This statement must account for all monies received or paid on behalf of the Group, including all Sections and Committees.

Signed copies of the annual report and accounts must be sent to the District Treasurer and the Sponsoring Authority within the 14 days following the Group's Annual General Meeting at which the annual report and accounts were received and considered.

Statements of account and all existing accounting records must be preserved for six years from the end of the financial year in which they are made, or for such longer period as may be required by H.M. Revenue and Customs.

Constitution Amendments

All changes to this constitution must be approved by a meeting of the Group Scout Council. Minor changes can be provisionally approved by the Trustee Board and brought into effect pending full approval by the Group Scout Council.

When POR is updated, the relevant changes will be reviewed by the Trustee Board, and appropriate changes proposed to 7th Elland Scout Group's Constitution if necessary. In the event of a significant change being needed before the next Annual General Meeting of the Group Scout Council, then an Extraordinary Meeting of the Council should be sought.

For any matter not covered in this constitution, reference should be made to POR. The rules or recommendations made therein will then apply to 7th Elland Scout Group until consideration by the Group Trustee Board and/or the Constitution is amended.

This Constitution will be updated and readopted annually at the Annual General Meeting of the Group Scout Council.

Please note that between November 2023 and February 2024, significant changes to volunteering are being introduced. This current edition of POR which this document is based on (July 2023) will apply until the transition date for West Yorkshire County Scouts. After this the version due to be published in October 2023 will apply.