

Extract from Scout Association Policy, Organisation and Rules

Model Constitution

5.4.1 Preamble

This constitution describes the role, membership and operation of the Scout Council, and the Trustee Board.

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

5.4.2 The Scout Council - membership

5.4.2.1 The Scout Council is the body which has charity responsibility for Scouting in the Group, District or County. The Trustee Board is accountable to the Scout Council for the governance of the charity. The Scout Council has no Trustee responsibilities.

5.4.2.2 Membership of the Scout Council does not provide membership of the Scouts.

5.4.2.3 There are four categories of membership of each Scout Council:

- a. Ex officio
- b. Nominated
- c. Co-opted (only for the County Scout Council)
- d. Right of attendance

5.4.2.4 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 and co-opted Scout Council members must not be recorded on The Scout Association's membership system.

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

5.4.2.5 Group Scout Council membership

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
- b. all Patrol Leaders of the Troop(s) in the Group

- c. parents or carers of Squirrels, Beavers, Cubs and Scouts
- d. Explorers, if so stated in a Partnership Agreement between the Unit, the Group and the District
- e. parents and carers of Explorers, if so stated in a Partnership Agreement between the Unit, the Group and the District
- f. the Sponsoring Authority, where there is one, or its nominee
- g. the District Commissioner
- h. the District Trustee Board Chair

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

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

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

5.4.3 Scout Council - Annual General Meeting

5.4.3.1 Each Scout Council must hold an Annual General Meeting within six months of the end of the charity's financial year.

5.4.3.2 The Annual General Meeting must:

- a. Undertake governance oversight
 - adopt (or re-adopt) the constitution of the charity [Group, District or County as appropriate]. See rule 5.3.
 - 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:
 - meetings of the Scout Council
 - meetings of the Trustee Board
 - 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 (see 5.5.3).

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 Group Scout Leader's, District Commissioner's or County Commissioner's nomination of the Chair 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 Group Scout Leader's, District Commissioner's or County Commissioner's nomination of members of 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](#)

5.4.4 Trustee Board - purpose SV

This rule reflects the Trustee Board responsibilities until the point of the County's transition (in November 2023 or February 2024). From the point of transition, some of the Trustee Board responsibilities transfer to the appropriate Support Team or function – these changes will show in the October 2023 edition of POR.

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

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

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

5.4.4.2 The 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, 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

5.4.4.3 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:
 - o a reserves policy for the charity (including a plan for use of reserves outside the 'minimum')
 - o an investment policy for the charity
 - o 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:
 - o 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
 - o 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

5.4.4.4 A Group Trustee Board must also:

- a. provide any necessary support to the Group Scout Leader, when required, to assist the opening, change, merging or closing of sections in the Group