



3rd West Lothian (East Calder) Scout Group Council

Constitution

(Based on Policy Organisation and Rules, Scottish Variations March 2019)



Constitution of the 3rd West Lothian (East Calder) Scout Group Council

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Management of the Scout Group

- 1 The content of this Constitution is taken from The Scout Association, Policy, Organisation and Rules as updated in March 2019. This Constitution will apply where the circumstances and the support allow.
 - a. A Scout Group is created and operated as an educational charity.
 - b. Every Scout Group is an autonomous organisation holding its property and equipment and admitting young people to membership of the Scout Group subject to the policy and rules of The Scout Association.
 - c. A Scout Group is led by a Group Scout Leader and managed by a Group Executive Committee. They are accountable to the Group Scout Council for the satisfactory running of the Group.
 - d. The Group Scout Leader is assisted and supported by the Group Scouters in the delivery of the high quality balanced Programme for young people within the Group.

The Group Scout Council

- 2 The Group Scout Council is the electoral body, which supports Scouting in the Scout Group. It is the body to which the Group Executive Committee is accountable. It meets once a year at the Annual general Meeting.
 - a. Membership of the Group Scout Council consists of
 - i. Scouters
 - ii. Group Scout Active Support members (including the Group Scout Active Support Manager and Group Scout Active Support Co-ordinators – if appointed)
 - iii. Colony, Pack and Troop Assistants
 - iv. Skills Instructors
 - v. Administrators
 - vi. Advisers
 - vii. Patrol Leaders
 - viii. all parents of Beaver Scouts, Cub Scouts and Scouts
 - ix. Explorer Scout Leaders (if stated in a Partnership Agreement)
 - x. The District Commissioner and District Chair are ex-officio members of the Group Scout Council
 - b. Membership of the Group Scout Council ceases upon
 - i. the resignation of the member
 - ii. the dissolution of the Council
 - iii. the termination of membership by Headquarters following a recommendation by the Group Executive Committee

- c. Annual General Meeting
 - i. The Group Scout Council must hold an Annual General Meeting within six months of the financial year end to
 - ii. receive and consider the Annual Report of the Group Executive Committee, including the annual statement of accounts
 - iii. approve the Group Scout Leader's nomination of the Group Chair and nominated members of the Group Executive Committee
 - iv. elect a Group Secretary and Group Treasurer
 - v. elect certain members of the Group Executive Committee
 - vi. appoint an auditor or independent examiner or scrutineer as required
- d. Frequency of meetings
 - i. Apart from the AGM the Group Scout Council will only be required to meet under the circumstances of an Extraordinary General Meeting. The notice of the AGM and any EGM shall be sent at least 14 days in advance to all those eligible to attend. This notice may be sent by written or electronic means.

The Group Executive Committee

- 3 The Executive Committee exists to support the Group Scout Leader in meeting the responsibilities of their appointment. Members of the Executive Committee must act collectively as charity Trustees of the Scout Group, and in the best interests of its members to
 - a. Comply with the Policy, Organisation and Rules of The Scout Association
 - b. Manage the protection and maintenance of the Group's property and equipment (owned or used)
 - c. Manage the Group's finances including the raising of funds and ensure that the assets are to be applied solely for the purposes, management and administration of Scouting
 - d. Provide insurance of persons, property and equipment
 - e. Provide sufficient resources for Scouting to operate. This includes but is not limited to supporting recruitment, other adult support and fundraising activities
 - f. Manage and implement the safety policy locally
 - g. Ensure that a positive image of Scouting exists in the local community
 - h. Appoint and manage the operation of any sub committees, including appointing a Chair to lead the sub-committees
 - i. Ensure that young people are meaningfully involved in decision making at all levels within the Group
 - j. The opening, closure and amalgamation of sections in the group as necessary
- 4 The Executive Committee must also:
 - a. Appoint Administrators, Advisers, and Co-opted members of the Executive Committee
 - b. Approve the Annual Report and Annual Accounts after their examination by an appropriate auditor, or independent examiner
 - c. Present the Annual Report and Annual Accounts to the Scout Council at the Annual General Meeting; file a copy with the District Executive Committee; and if a registered charity, to the appropriate charity

regulator if the regulator's rules require it. (See Rule 13.3)

- d. Maintain confidentiality with regard to appropriate Executive Committee business

5 Frequency of meetings

- a. The Group Executive Committee meetings should be held at least 4 times a year and at least once in each of the three terms

6 Membership of the Group Executive Committee consists of:

- a. The Group Chair - term of office 1 year
- b. The Group Secretary and The Group Treasurer – term of office 2 years
- c. The Group Scout Leader
- d. The Assistant Group Scout Leader
- e. All Section Leaders (i.e. individuals holding Beaver Scout Leader, Cub Scout Leader or Scout Leader roles and subject to that Section Leader expressly indicating to the AGM (in writing or orally at the meeting)) that they are willing to perform such a function) – term of office 1 year
- f. The Explorer Scout Leader (if stated in a Partnership Agreement and subject to that Explorer Scout Leader expressly indicating to the AGM (in writing or orally at the meeting) that they are willing to perform such a function)) - (If applicable)
- g. The Sponsoring Authority or its nominee Nominated Members (if applicable)
- h. Persons nominated by the Group Scout Leader. These nominations must be approved at the Group Annual General Meeting. The number of nominated members must not exceed the number of elected members - term of office 1 year (if applicable)
- i. Elected Members
 - i. Persons elected at the Group Annual General Meeting. No more than 6 in number. The actual number was proposed at a meeting of the Group Executive Committee meeting on 18 February 2021 and decided at a resolution by the Group Scout Council on the 8th September 2021 and the process is as defined by the Group in bylaws Co-opted Members - term of office 2 years
- j. Co-opted members
 - i. Persons Co-opted at the Annual General Meeting. The number of co-opted members must not exceed the number of elected members – term of office 1 year (if applicable)
- k. Right of Attendance
 - i. The District Commissioner and the District Chair have the right of attendance at meetings of the Group Executive Committee
- l. Note.
 - i. Ideally, between the nominated members, elected members and co-opted members, the Group Executive should include a parent of at least one Member of each of the Sections in the Group
- m. Sub-Committees

- i. The Group Executive Committee may establish any sub-Committees that it deems necessary. Sub committees consist of members nominated by the Executive Committee. The Group Scout Leader and the Group Chair will be ex officio members of any sub-Committee of the Group Executive Committee. Any fund-raising committee must include at least two members of the Group Executive Committee, in addition to the ex officio members. No Section Leader or Assistant Leader may serve on such a fund-raising sub-Committee

7 Additional Requirements for Charity Trustees:

- a. A Scout Group in Scotland may be registered as a charity. (See rule 13.1)
- b. All ex officio, nominated, elected and co-opted Members of the Group Executive Committee of a registered charity are the charity trustees of the Scout Group
- c. Where a Scout Group is not a registered charity, members of the Group Executive Committee will be regarded as having the same duties and responsibilities as charity Trustees for the purposes of POR
- d. Only persons aged 18 and over may be full voting members of the Group Executive Committee. (however the views of young people in the Group must be taken into consideration)
- e. Certain people are disqualified from being charity trustees by virtue of the Charities and Trustee Investment (Scotland) Act 2005. (See rule 13.1)
- f. Charity Trustees are responsible for ensuring compliance with all relevant legislation including the Data Protection Act

8 The Group Scouters' Meeting

- a. Membership of the Group Scouters' Meeting consists of the Group Scout Leader as chair
- b. all Section Leaders and Assistant Leaders and the Manager of any Group Scout Active Support Unit.
- c. Explorer Scout Leaders may be included if stated in the partnership agreement
- d. The role of the Group Scouters' Meeting is to:
 - i. Consider the well-being and development of each Member of the Group
 - ii. Ensure the progress of each Member through the programme
 - iii. Plan and co-ordinate all the Group's activities
 - iv. To keep the Group Executive Committee advised of the financial and other resource requirements of the training programme
- e. Frequency of meeting Group Scouters meetings should be held at least 3 times a year.

9 Conduct of Meetings

- a. Only members as defined may vote in meetings of Group Scout Council and Group Executive
- b. 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 has NO right of a casting vote and the matter is deemed NOT to have been carried
- c. The Group Scout Council decided at their meeting on 18 February 2021 that the quorum for meetings of the Group Scout Group Executive Committee shall be a minimum of four members. The Group Scout Executive will decide the quorum for its sub-committees and issue in bylaws.

- d. All meetings should have minutes taken by the Secretary, approved by the Chair and circulated to all members (Group Executive meetings) as soon as possible and in case of the Group Scout Council in advance of the next meeting
- e. All minutes to be retained and safely kept by the Group Secretary
- f. All meetings should have an agenda issued at least five days prior to the meeting. Calling notices for the meeting should be at least 14 days in advance and can be made in writing or by electronic method.

10 Approval

- g. This Constitution of the 3rd West Lothian Scout Group Council, taken from The Scout Association, Policy, Organisation and Rules, Scottish Variations dated March 2019 was endorsed by West Lothian District Scout Executive Committee on 18 March 2021 and approved by the 3rd West Lothian Scout Group Council at their meeting on 8 September 2021.

SignedChair 3rd West Lothian Scout Group

Print Name.....

Signed.....Group Scout Leader 3rd West Lothian Scout Group

Print Name.....