

# 11th Folkestone Scout Group

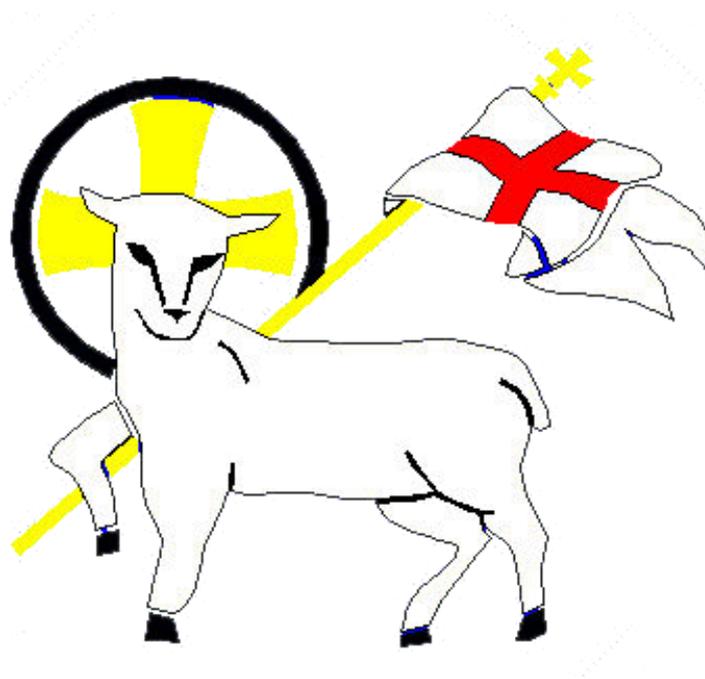
## GROUP GOVERNANCE

### Constitution & Operating Procedures

April 2018

Version 6

(Updates in line with POR changes January 2018 and GDPR implementation)



Approved & adopted by the Executive Committee: \_\_\_\_\_ (Date)

Signed: \_\_\_\_\_ (Chair)

## 1.1 Introduction

This document has been produced by the Executive Committee of the 11th Folkestone Scout Group Council to clarify Group Policy in relation to the management of the Scout Group's financial and administrative responsibilities and should be read in conjunction with the Policy, Organisation & Rules (POR) of The Scout Association, which take precedence in all matters. Current POR, including amendments, can be found on the official Scout Association website: [www.scouts.org.uk/por](http://www.scouts.org.uk/por)

## 2.1 Governance & Compliance

- 2.1.1 The 11<sup>th</sup> Folkestone (St. John's) Scout Group is governed and regulated by the current Policy, Organisation and Rules as published and as amended from time to time by the Scout Association in the UK. All such current Policy, Organisation and Rules will apply to the Group as appropriate and without variation. This includes the constitution of the Group and its legal and regulatory obligations and with particular respect to the Charities Act 2011.
- 2.1.2 The Group Scout Leader and Group Chair are responsible for ensuring compliance to Group, District, County and National Scout Association Policy, Organisation and Rules (POR).

## 2.2 Constitution

- 2.2.1 The 11<sup>th</sup> Folkestone (St. John's) Scout Group is not a Sponsored Group as defined in POR and is therefore not answerable to other bodies. However, it does maintain a link with St. John's Church.
- 2.2.2 The following definition of the Constitution of the 11<sup>th</sup> Folkestone (St. John's) Scout Group is based on and should be read in conjunction with the model constitution within the Policy, Organisation and Rules of the Scout Association dated January 2018.

This replaces all previous versions of the 11<sup>th</sup> Folkestone (St. John's) Scout Group Constitution.

In order to clarify and document the constitution of the 11<sup>th</sup> Folkestone (St. John's) Scout Group Council and Group Executive Committee, this document defines the processes whereby members of the Group Council are elected to the Group Executive Committee.

It also defines the operation of meetings, decision making and actions of both the Group Council and Group Executive Committee.

- 2.2.3 Membership of the 11<sup>th</sup> Folkestone (St. John's) Scout Group Council is open to:

- Scouters;
- Group Scout Active Support members (including the Group Scout Active Support Manager and Group Scout Active Support Co-ordinators – if appointed);
- Colony, Pack and Troop Assistants;
- Skills Instructors;
- Administrators;
- Advisers;
- Patrol Leaders;
- all parents of Beaver Scouts, Cub Scouts and Scouts;

- any other supporters including former Scouts and their parents who may be admitted by the Group Scout Leader, the Group Executive Committee or the Group Council;
- the District Commissioner and District Chair are ex-officio members of the Group Scout Council.

#### 2.2.4 Membership of the Group Council ceases upon:

- the resignation of the member;
- the dissolution of the Council;
- the termination of membership by Headquarters following a recommendation by the Group Executive Committee.

#### 2.2.5 The 11<sup>th</sup> Folkestone (St. John's) Group Scout Council must hold an Annual General Meeting within six months of the financial year end (31<sup>st</sup> December annually) to:

- receive and consider the Annual Report of the Group Executive Committee, including the annual statement of accounts;
- approve the Group Scout Leader's nomination of the Group Chair and approve nominated members of the Group Executive Committee;
- elect a Group Secretary and Group Treasurer;
- elect members of the Group Executive Committee;
- appoint an auditor or independent examiner or scrutineer as required.

The quorum for meetings of the Group Scout Council will be ten members. Matters will be decided by a majority (i.e. at least half) of those in attendance.

#### 2.2.6 The 11<sup>th</sup> Folkestone (St. John's) Scout Group 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:

- Comply with the Policy, Organisation and Rules of The Scout Association and relevant laws.
- Protect and maintain any property and equipment owned by and/or used by the Group
- Manage the Group finances.
- Provide insurance for people, property and equipment.
- Provide sufficient resources for Scouting to operate. This includes, but is not limited to, supporting recruitment, other adult support, and fundraising activities.
- Promote and support the development of Scouting in the local area.
- Manage and implement the Safety Policy locally
- Ensure that a positive image of Scouting exists in the local community.
- Appoint and manage the operation of any sub-Committees, including appointing a Chair to lead each sub-Committees.
- Ensure that Young People are meaningfully involved in decision making at all levels within the Group
- The opening, closure and amalgamation of Sections in the Group as necessary

The Executive Committee must also:

- Appoint Administrators, Advisers, and Co-opted members of the Executive Committee
- Approve the Annual Report and Annual Accounts after their examination by an appropriate auditor, independent examiner or scrutineer.

- 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.
- Maintain confidentiality with regard to appropriate Executive Committee business.
- Where staff are employed, act as a responsible employer in accordance with Scouting's values and relevant legislation.
- Ensure line management responsibilities for employed staff are clearly established and communicated.

#### 2.2.7 The 11<sup>th</sup> Folkestone (St. John's) Scout Group Executive Committee consists of:

- The Group Chair;
- The Group Vice-Chair (nominated annually by the Executive Committee from within its membership);
- The Group Secretary;
- The Group Treasurer;
- The Group Scout Leader;
- The Assistant Group Scout Leader;
- The Centre Manager;
- Section Leaders wishing to serve (who request to serve on the Board annually – opting in at the Annual General Meeting);
- Nominated Members or persons nominated by the Group Scout Leader/Group Chair (not to exceed the number of elected members);
- Elected Members not less than 4 persons, but a maximum of 8, elected at the Group Annual General Meeting;
- Co-opted Members;
  - persons co-opted annually by the Group Executive Committee;
  - the number of co-opted members must not exceed the number of elected members. Current membership of the Executive Committee is outlined on the Group website.

The quorum of the Group Executive Committee and any sub-committees will be a majority i.e. at least half plus one of the membership of the Committee or sub-committee in attendance.

#### 2.2.8 The District Commissioner and the District Chair have the right of attendance at meetings of the 11<sup>th</sup> Folkestone (St. John's) Group Executive Meetings.

#### 2.2.9 Conduct of the Group Executive Committee

Decision making of the Group Executive Committee may be in meetings (including remote attendance via teleconference or webconference), via e-mail approval of recommendations or via delegated authority.

- Decisions requiring the representation of different views should be made after discussion during meetings of the Executive Committee. Extraordinary meetings may be called to discuss and decide on urgent matters.
- Simple decisions may be made between meetings via e-mail. E-mails should be brief and set out a clear recommendation which is approved or rejected by a majority of respondents. Should any member of the Executive Committee wish to

discuss the matter further, the decision will be deferred to a meeting of the Executive Committee (an extraordinary meeting may be called).

- Where a matter cannot be decided at a meeting of the Executive Committee i.e. due to lack of complete information, the authority to make a decision may be delegated to those members of the Executive Committee as decided at the meeting. Authority will usually be delegated to more than one member of the Executive Committee. Members with delegated decision making authority on any matter will then have the authority to make a decision on behalf of the full Executive Committee.

Members of the Executive Committee may be delegated to act on behalf of the Executive Committee on defined matters. This may be via sub-committee (see POR 3.23 b iv) or to address specific topics. Delegated actions are taken with the authority of the Executive Committee. The scope of any delegated actions should be clearly agreed by the Executive Committee via published Terms of Reference at the time when such actions are delegated and regular updates on actions taken should be provided to the full Executive Committee.

The above notwithstanding, the Group Scout Leader has the right to act in all matters as defined in POR 3.42a. The Group Scout Leader may also act on behalf of the Executive Committee in all urgent matters where it is not possible to consult with the membership of the Executive Committee (usually in consultation with the Group Chair where possible).

- 2.2.10 The Group Executive Committee may establish any sub-Committees that it deems necessary, applying strict, documented Terms of Reference to any such committee.
- 2.2.11 The Group Scout Leader and the Group Chair will be ex officio members of any sub-Committee of the Group Executive Committee.
- 2.2.12 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.
- 2.2.13 Our Scout Group is an educational charity. Members of the Group Executive Committee are the charity trustees of the Scout Group.
- 2.2.14 Only persons aged 18 and over may be full voting members of the Group Executive Committee because of their status as charity trustees.
- 2.2.15 Certain people are disqualified from being charity trustees by virtue of the Charities Acts.
- 2.2.16 Charity trustees are responsible, as the data controller, for complying with all the legislation applicable to charities including the General Data Protection Regulations.

## **2.3 Group Name & Colours**

- 2.3.1 The Group has registered its title as the 11<sup>th</sup> Folkestone (St. John's) Scout Group, registered charity number 285558. The title will be used on all official communications and stationery. *Note: the bracketed St. John's may be omitted from less formal communications at the discretion of the Group Scout Leader.*

## **2.4 Group Programme**

- 2.4.1 The Group shall support initiatives and events which are organised by the District, County or National Headquarters. The Group or individual Sections will participate at the discretion of the Group Scout Leader and individual Section Leaders.

## **3 Finances**

### **3.1 General**

- 3.1.1 The Group Treasurer, acting on behalf of the other Executive Committee members (who are the Group's Charity Trustees), has overall operational responsibility for the governance and maintenance of Group finances.

- 3.1.2 The Group shall operate a main bank account, using a mainstream bank into which all receipts are deposited. This account will require a minimum of two signatories, however, the Group shall hold a minimum of four. The signatories on the Group account shall be: the Group Treasurer; the Group Chair; the Group Scout Leader; the Group HQ Manager and a section leader from each section (where no conflict of interest exists). Other Board members may be appointed, subject to approval of the Executive Committee.

The Group shall operate an online payments account using a mainstream bank. The signatories on this account shall be: the Group Treasurer; the Group Chair; the Group Scout Leader. Other Board members may be appointed, subject to approval of the Executive Committee.

The Group shall operate a pre-paid credit card for general expenditure. The accounts shall be maintained with a shared balance of £100 at all times, with additional funds being transferred as necessary, authorised by the spending authorisation set out in 3.3.2. Each section will hold a card, along with the Group Chair, Centre Manager, Group Scout Leader and Assistant.

A savings account shall be held holding the Group's dedicated Hardship Fund (The Penticost Fund).

A separate current account shall hold restricted & designated capital funds for specific projects. This will not form part of the reported Reserves.

A Cash Float, set at £50, shall be held by the Group Treasurer to facilitate local payments as required.

- 3.1.3 Further savings accounts may be opened and operated by the Group Treasurer at discretion of the Group Executive Committee.
- 3.1.4 All monies payable to the Group, for whatever reason and from whatever source, including cash payments shall be duly recorded, logged and deposited into the Group account. Under no circumstances may cash be diverted.
- 3.1.5 The Group's policy on reserves is to hold sufficient resources to continue the charitable activities of the group should income and fundraising activities fall short. The Executive Committee considers that the group should hold a sum equivalent to 12 months running costs of approximately £3000, calculated based on the previous year's core costs to maintain the building should no other income be available. This reserve is to be used to allow time for the Group to be reopened should that be the (preferred) viable option or provide the time to adequately dispose of the Group assets and close the Group as per POR.

## 3.2 The Group Treasurer

- 3.2.1 The key aspects of the Group Treasurer's role are to:
- Produce an annual budget following consultation with the Group Team Meeting
  - Monitor the Group's income and expenditure against the approved budget
  - Collect and forward the Membership Subscription to the District Treasurer
  - Receive and account for all monies in the Group (including from Sections) paying out only as authorised by the Group Executive Committee
  - Ensure that floats held by others are properly accounted for
  - Ensure that accumulated funds are invested
  - Ensure that proper inventories and insurance of Group property and equipment are maintained
  - Keep in contact with the District Treasurer
  - Comply with the rules of the Scout Association, Charity Commission requirements and the laws of the land relating to finance

## 3.3 Expenses

- 3.3.1 The Group does not expect volunteers of the Group to be 'out of pocket' as a result of providing purchased items or services for the genuine and direct benefit of the Group and its young people or as required by the Scout Association. All such expenses should be claimed in accordance with the Group policy and procedure.
- 3.3.2 In order to maintain financial control, all expenditure should be approved in advance following the spending limit authorisation schedule.

### Spending authorisation schedule for all funds

£0.01 - £100	<b>Any member of the Group Team</b> as authorised by the 'budget holder' (e.g. <u>Section</u> Leader, GSL, etc...)
£101 - £200	<b>A budget holder after consultation with the GSL or Chair</b>
£201 - £1500	<b>3 trustees</b> (including the chair or vice chair)
£1501 +	<b>Majority vote of the full Executive Committee</b> (Quorate)

- A receipt and proper Group accounting procedures must be followed for all levels of spending.
  - A completed Claim Form detailing account to debited, nominal code to be recorded against and payment method.
  - Where authorisation is required for a spend, a written record must be produced and filed along with the receipt. This may take the form of a Group Purchase order/extract from the minutes of an Executive Committee or sub-committee meeting or a printed email detailing the spend and agreement at the appropriate level as outlined above.
  - For all spends over £1500, three quotes/estimates should be obtained and filed with the Group Treasurer to ensure best value for the Group's money.
  - Non-approved expenses may not be reimbursed at the discretion of the Executive Committee. The spending limit authorisation schedule must be followed by all members of the Group.
- 3.3.3 Reimbursement of expenses will be via direct bank transfer or a cheque, claimed from the Group Treasurer or Chair using the appropriate form.

- 3.3.4 Where possible, payments to providers/third parties should be made directly by the Group via bank transfer (preferred), pre-paid credit card or cheque. To request a payment, inform the Group Treasurer or Chair via email or Group Purchase Order.

### **3.4 Camps, activities, events & excursions**

- 3.4.1 Nights Away experiences should break even financially. In other words, when all expenses have been accounted for, the end balance to the Group should be zero – the Group being neither in profit, nor loss unless otherwise agreed in advance by the Executive Committee. In some circumstances, the Executive Committee may approve a subsidy in advance, via the Finance Committee. Any remaining monies from a camp should be reimbursed to participants, however, a covering letting offering the refund or an alternative option for the monies may be sent which allows for parental choice for the balance.
- 3.4.2 Outings, excursions and expeditions should break even financially for the Group. In some circumstances, the Executive Committee may approve a subsidy in advance, via the Finance Committee
- 3.4.3 Some activities may be entirely funded by the Group (such as District organised competitions and outings), others may be subsidised by the Group and others, in order to break even, or may be charged for at cost price at the discretion of the event organiser and Executive Committee where appropriate and in line with spending authorisations.
- 3.4.4 It is the responsibility of the event organiser to ensure that it is properly budgeted and financed (including subsidy approvals) and that all required monies are collected prior to departure. If requested, by the Executive Committee, a written budget must be produced to satisfy the Board of appropriate financial procedures for the event.
- 3.4.4 It is the policy of the Group that adults supporting Nights Away experiences are not expected to pay, beyond providing their time. The Group, through building the cost into an event's budget or from sectional budgets, shall cover the cost. Large scale events, such as the Kent International Jamboree, where costs and pressures on budgets are significant, a contribution may be sought from those adults attending or funding from the Group may be sought through a request to the Executive Committee.

## **4 Buildings, premises and property**

- 4.1.1 Health & safety are of paramount importance. It is the responsibility of the Group Executive Committee to ensure that a formal risk assessment and fire risk assessment of the premises is carried out at least every two years and that resulting actions are prioritised and dealt with promptly and efficiently. The Executive Committee are also responsible for ensuring appropriate records of checks are made and monitored and remedial work is undertaken as necessary.
- 4.1.2 It is the responsibility of the Group Executive Committee to manage the maintenance and running of Group premises, including grounds, for the benefit of its Members and to acceptable standards. This includes, although is not limited to, providing facilities and utilities such as toilets, a kitchen, furniture, heating, lighting etc., security and landscaping.
- 4.1.3 It is the responsibility of the Group Executive Committee to ensure that all legal, contractual and associated financial matters with respect to Group premises are resolved, including lease agreements, buildings & contents insurance, utility bills and other Group liabilities

- 4.1.4 It is the responsibility of the Group Executive Committee to ensure that Group premises are adequately secure.
- 4.1.5 The Group shall seek to improve its premises and facilities. The Group shall implement and maintain a Development Plan which will be reviewed regularly. In accordance with this Plan, the Group shall seek external funding (through grants and other charitable bodies) as appropriate.
- 4.1.6 The Executive Committee adopt the Scout Association Safety Policy in its entirety. It is the responsibility of the Executive Committee, in conjunction with the Group Scout Leader, to monitor the health and safety considerations of the Centre and the programme regularly. Health & Safety matters will be a standing item on all Executive Committee meeting agendas.

## **4.2 Personal Property**

- 4.2.1 The Group Executive Committee accepts no responsibility for any damage or theft of personal property whilst in or on Group premises.
- 4.2.2 There is no parking space on the property. Members and visitors are requested to only park at the end of the alley (Shepway Close) and not on the housing side of Shepway Close or in Peto Close. No responsibility is accepted for damage or loss of vehicles or possessions.

## **4.3 Key Holders**

- 4.3.1 Keys shall be provided to all leaders in the Group that request them. Other regular users, including Shop4Scouts Ltd. staff shall be provided with keys as requested. All key holders will be recorded and sign to accept responsibility for the security and safety of the building.
- 4.3.2 The HQ Manager will be the only holder of a Master set of keys with access to all areas of the building and property, including the safes and key safes.
- 4.3.3 When the building is in use, the key holder shall be assumed to be responsible for the building and its occupants including fire evacuation procedures, health & safety issues and security.
- 4.3.4 When leaving, it is the responsibility of the key holder to ensure that the buildings and grounds are secured and that lights and other electrical equipment are switched off according to procedure.

## **4.4 Use of the premises**

- 4.4.1 The building and facilities at the Group HQ, Shepway Close are provided and maintained by the Group for the direct benefit of the Group and its Members for Scouting purposes, including storage of Scouting related equipment.
- 4.4.2 The use of Group premises for other Scouting purposes (for example, District meetings etc.) is encouraged as this promotes the reputation of the Group in line with POR chapter 3. Use of facilities for these purposes shall incur no charge at the discretion of the Executive Committee.
- 4.4.3 Subject to the terms of the Group Letting's Policy and approval by the Group Executive Committee, the premises may be hired to clubs, groups or private individuals in order to generate funds to further enhance the Group's charitable aims. Each hire shall be subject to a risk assessment and written agreement. The agreement should consider the following:

- Neighbours (noise & traffic)
- Liability (damage to building or contents and accident liability to users)
- Hire charges (hourly charge or the whole event)
- Cleaning & rubbish removal
- Areas out of bounds (Equipment store, Leader's office etc.)
- Key holder & security

Hire of the premises shall enhance the charitable aims of the Group through developing and building our relationship with the community and providing an additional revenue stream for the benefit of our membership.

4.4.4 All bookings for the HQ, including Scouting & section bookings outside of the normal evening or hours used by the section shall be made through the HQ Manager via the Centre website ([www.shepwayclosecentre.info](http://www.shepwayclosecentre.info)). This will ensure no double bookings, priority for Scouting events and maximise the use of the building.

## **4.5 Group Minibus**

4.5.1 A separate Minibus Policy will be written, adopted and reviewed annually to meet the needs of changing legislation.

4.5.2 Provision of a minibus will be reviewed annually in September of each year. While the Trustees accept that the minibus will be a loss making provision, the size of the loss must be balanced against the benefits to the programme for the young people in the Group.

## **5 Record Keeping**

5.1.1 The Scout Group holds a variety of personal data on Section Members and their families to ensure efficient administration and running of the Group. Safeguarding this data is of paramount importance. The Group's GDPR Toolkit 2018 details what, where, how and why data is held by the Group.

5.1.2 All sections in the Group will use Online Scout Manager for the management and administration of data. Access to this system is limited to authorised appointed adults.

5.1.3 All sections will provide a copy of the termly programme for their section to the Group Scout Leader for reference via Online Scout Manager.

5.1.4 Destruction of Sensitive Information is detailed in the Group's GDPR Toolkit 2018 and must be followed by all adults.

## **5.2 INTOUCH System**

5.2.1 InTouch is the system used to manage communications at all Scout activities and events. It is flexible to allow those organising events to implement a system best suited to their particular circumstances.

To minimise the paperwork for leaders and parents when leaving the HQ, the InTouch system is in place to allow leaders to safely take their sections out and about without additional bits of paper and forms.

The activity/event leader will provide a number which parents can use to contact the party should there be any need during the event. The activity/event leader may also provide parents with another mobile number in addition to the main.

### **Weekly Meetings/Local Visits on meeting nights**

Parents will be informed via the Programme section of My.SCOUT and attendance at the meeting will constitute parental consent for the activity.

### **One Day Activities**

Parents will be informed by Event Invitation/sign-up via My.SCOUT. Parents will need to explicitly 'sign-up' for the event (whether there is a charge or not). This will constitute parental consent.

### **Nights Away Experiences**

Parents will be informed by Event Invitation/sign-up via My.SCOUT. Parents will need to explicitly 'sign-up' for the event (whether there is a charge or not). This will constitute parental consent.

All activities that require a form, will need to have a signed copy returned to the leader in charge of the activity before the activity can take place. All forms can be found in the FORMS folder on the Group's Network, or in the FORMS section of the Group's website.

- 5.2.2 Before an event leaving the building is undertaken, the leader in charge must ensure the GSL/AGSL are aware (and approve) of the event.
- 5.2.3 The administration of medication must be undertaken following the Group policy, with the consent of the parent, through the use of the Group's Medicine Administration Form (2014). All medical administered must be recorded on the appropriate form.

## **6.1 Explorer Scout Unit**

- 6.1.1 The Lost Explorer Unit is officially operated by the 11<sup>th</sup> Folkestone Scout Group as of 01/01/12 and is treated as the fourth section in Group.
- 6.1.2 The Unit shall be expected to operate under the same procedures and governance as all other sections within the Group.
- 6.1.3 All Unit finances will be managed in the same way as the other sections, as outlined in section 3.
- 6.1.4 The Unit's uniform shall consist of the usual standard elements, along with an 11<sup>th</sup> Folkestone (St. John's) name tape worn below the LOST ESU name tape. The neckerchief worn shall be black with a ½ inch tangerine border.

[www.11thfolkestonescouts.org.uk](http://www.11thfolkestonescouts.org.uk)

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