

1st Appleby-in-Westmorland Scout Group Constitution

Part 1: The Group

- 1.1 The name shall be 1st Appleby-in-Westmorland Scout Group. It may be referred to as the group, 1st Appleby, Appleby Scouts or 1st Appleby-in-Westmorland Scouts.
- 1.2 1st Appleby-in-Westmorland Scout Group is a registered member of The Scout Association being part of Eden Scout District.
- 1.3 The aims of the Group are to provide adventurous activities and personal development opportunities for young people aged 6-25. Personal development means promoting the physical, intellectual, social and spiritual well-being of the individual, helping them achieve their full potential.
- 1.4 The Group is an 'Open Group' and has no formal relationship with any other organisation and therefore practices unrestricted recruitment. Youth and adult membership is open to both sexes in line with the Scout Association's Policy Organisation and Rules.
- 1.5 The Scout Leader with overall responsibility in the Group is the Group Scout Leader (GSL). If the appointment of GSL is vacant a Group Scout Leader (Acting) or other person will be appointed by the District Commissioner.
- 1.6 The Group has its Headquarters at Appleby Scout Hut, King George V Playing Fields, Broad Close, Appleby-in-Westmorland, Cumbria CA16 6QR where Group and Section meetings may be held. The premise is held on leasehold, on behalf of 1st Appleby-in-Westmorland Scout Group, by the Trustees of the group.
- 1.7 The Group will operate its finances in accordance with The Scout Association's Policy Organisation and Rules, the Charity Commission, and the Group financial rules, with guidance as appropriate from the District Treasurer.
- 1.8 The Group's Financial Year will be agreed and set out by the group executive committee in the financial rules.
- 1.9 The Group will conduct its Scouting activities under The Scout Association's Policy Organisation and Rules.
- 1.10 The Group's Annual General Meeting will be held within 6 months after the end of the financial year.
- 1.11 The Group's colours are Yellow and Scout Green and Group Scarves will consist of these colours, yellow, with a scout green border.
- 1.12 1st Appleby-in-Westmorland Scout Group is an educational charity. As a Scout Group, it is an Excepted Charity as recognised by the Charity Commission in England, number 1077686.

Part 2: Management of the Group

- 2.1 1st Appleby-in-Westmorland Scout Group is an autonomous organisation holding its property and equipment and admitting young people to membership of the Group subject to the policy and rules of The Scout Association.
- 2.2 The Group is led by a Group Scout Leader and managed by the Group Executive Committee. They are accountable to the Group Scout Council for the satisfactory running of the Group.
- 2.3 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.

Part 3: The Group Scout Council

The Group Scout Council is the electoral body, which supports Scouting in the Group. It is the body to which the Group Executive Committee is accountable.

3.1 Membership

Membership of the Group Scout Council is open to:

(a) Ex Officio Members

- All adult members and associate members of the Scout Group (see Group roles listed in The Appointments Process chapter, Table 2: Appointments, of The Scout Association's "Policy, Organisation and Rules" (P.O.R.).
- Patrol Leaders;
- all parents of Beaver Scouts, Cub Scouts and Scouts;
- the Sponsoring Authority or its nominee;
- District Commissioner
- District Chair

(b) Nominated Members

- Other supporters of the Group appointed by the Group Scout Council on the recommendation of the Group Scout Leader and the Group Executive Committee.

The number of Nominated Members must not exceed the number of Ex Officio members. Nominated members must be appointed for a fixed period not exceeding 3 years. Subsequent reappointments are permitted.

(c) 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 Group Executive Committee.

3.2 Meetings

The Group Scout Council must hold an Annual General Meeting within six months of the financial year end 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 nominated members of the Group Executive Committee;
- Elect a Group Secretary and Group Treasurer;
- Elect certain 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 is members,

which must include the Group Scout Leader or Group Chairman, plus 2 other members of the Group Executive Committee.

3.3 Appointments and Elections

- (a) The positions of Group Chairman, Group Secretary and Group Treasurer cannot be held by an appointed Leader, Manager or Supporter from the same Group.
- (b) No individual should hold more than one of the appointments of Group Chair, Secretary or Treasurer of the same Executive Committee. Neither can these appointments be combined in anyway.
- (c) Members of the Group Scout Council wishing to stand for election should make their intention known to the Group Scout Leader at least: days before the date of the meeting at which the election will take place.

Only if no one has notified the Group Scout Leader in this way that they wish to stand for election to a particular position will people be allowed to put themselves forward at the meeting itself for that position.



- (d) No individual can hold more than one nominated, elected or co-opted position on the Group Executive Committee.
- (e) Appointments on the Group Executive Committee may be terminated by:
- The resignation of the holder;
 - The unanimous resolution of all other members of the Group Executive Committee;
 - The expiry of the period of the appointment;
 - Confirmation by Headquarters of the termination of the appointment in the event of the cancellation of the registration of the Group.

All persons becoming members of the Group Executive Committee must complete the Scout Association's appointments process which includes a Personnel Enquiry.

Part 4: The Group Executive Committee

4.1 The Responsibilities of the Group Executive Committee

The Executive Committee exists to support the Group Scout Leader in meeting the responsibilities of their appointment.

4.2 Responsibility

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
- 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 the sub-Committees.
- Ensure that Young People are meaningfully involved in decision making at all levels within the Group.
- Open, close and amalgamate 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. (See Rule 13.3)
- 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.

4.3 Membership

The Group Executive Committee consists of:

(a) **Ex-officio Members**

- The Group Chair; (nominated by the Group Scout Leader)
- The Group Secretary;
- The Group Treasurer;
- The Group Scout Leader;
- The Assistant Group Scout Leader;
- 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);
- The Sponsoring Authority or its nominee;
- All Section Leaders 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.

(b) **Nominated Members**

Up to other persons nominated by the Group Scout Leader

The nominations must be approved at the Group Annual General Meeting.

The number of nominated members must not exceed the number of elected members.

(c) **Elected Members**

The Group Secretary

The Group Treasurer

Up to persons in number, excluding the Secretary and Treasurer

Ideally there should be at least one from each section of the Group.

Elections will take place at the Group's Annual General Meeting.

(d) **Co-opted Members**

Person co-opted annually by the Group Executive Committee.

They may be persons who through due to their skills or expertise will benefit the Group.

Up to persons in number.

They are proposed and seconded by the Executive Committee and approved by the Group Scout Council.

The position as held for a fixed term, specified when co-opted, of no longer than 5 years.

The number of co-opted members must not exceed the number of elected members.

(f) The number of nominated and co-opted members together must not exceed the number of elected members.

4.4 Right of Attendance

The District Commissioner and the District Chairman have the right of attendance at meetings of the Group Executive Committee.

4.5 Meetings

The Group Executive Committee should formally meet at least times during each calendar year (not including the AGM of the Group Scout Council).

The quorum for meetings of the Group Executive Committee is voting members, one of whom must be the Group Scout Leader or Group Chairman.

When a Section Leader is unable to attend a Group Executive Committee meeting, they may be represented by and voted on behalf by an Assistant Leader from their section.



4.6 Sub-Committees

1st Appleby-in-Westmorland Scout Group www.1stapplebyscouts.org.uk Registered Charity 1077686

Patron HM The Queen President HRH The Duke of Kent Founder Robert Baden-Powell OM Chief Scout Bear Grylls

The Group Executive Committee may establish any sub-committees that it deems necessary:

- The Group Scout Leader and the Group Chairman will be ex-officio members of any sub-Committee of the Group Executive Committee.
- Any fundraising 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 fundraising sub-Committee.
- Established sub-committees are recorded in Appendix 1, and formally documented in the minutes for the meeting it was approved at.

4.7 Charity Trustees

- The following members of the Group Executive Committee are the charity trustees:
 - Nominated members
 - Elected members
 - Co-opted members
 - Ex-officio members.
- Before becoming members of the Group Executive Committee, 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 Executive Committee because of their status as charity trustees (however the views of young people in the Group must be taken into consideration).
- Certain people are disqualified from being charity trustees by virtue of the Charities Acts.
- Charity trustees are responsible for complying with all relevant legislation, including the Data Protection Act 2018.
- All charity trustees must complete Module 1 Essential Information, Safety, Safeguarding, GDPR and Trustee Introduction training within 5 months of the role start date.

4.8 The Group Scouters' Meeting

Membership of the Group Scouters' Meeting consists of the Group Scout Leader as chair, all Section Leaders and Assistant Leaders and the Group Scout Active Support Manager. Explorer Scout Leaders may be included if stated in the partnership agreement.

The role of the Group Scouters' Meeting 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;
- to keep the Group Executive Committee advised of the financial and other resource requirements of the training programme.

4.9 Procedure for Meetings

- (a) Only members as defined above may vote in meetings of the Group Scout Council and the Group Executive Committee.
- (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 does not have a casting vote and the matter is taken not to have been carried.
- (c) The Group Scout Council must make a resolution defining a quorum for meetings of the Group Scout Council and the Group Executive Committee and its sub-Committees.
- (d) Electronic voting (such as email) is allowed for decision making of the Group Executive Committee when deemed appropriate by the Chair. In such instances at least 75% of its committee members must approve the decision.
- (e) The Group Executive Committee can meet by telephone conference, video conference as well as face to face in order to discharge their responsibilities when agreed by the appropriate Chair.

Part 5: Finance

5.1 Budgeting and Expenditure

The Group Executive Committee must ensure that proper financial planning and budgetary control is operated within the Group. The Group operates Financial Rules which describes this policy, and the following section should be used in conjunction with the Financial Rules.

All expenditure not specifically delegated to the Section Leaders or Group Scouters' Meeting must be approved by the Group Executive Committee to ensure that the Group can meet any liability so incurred. 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.

5.2 Funds administered by Sections

- (a) Each Section may administer sums charged for section activities, and/or allocated to it by the Group Executive Committee, in accordance with the Financial Rules.
- (b) All funds administered by sections remain the assets of the Group and must be consolidated into the Group accounts at the end of the financial year.
- (c) Each Section must keep a proper cash account which must be produced, together with supporting vouchers and the cash balance, to the Group Treasurer at least once in each period of three months.

5.3 Bank Accounts

- (a) All monies received by or on behalf of the Group either directly or via supporters, must be paid into a bank account held in the name of the Group. This account may, alternatively, be a National Savings account or a building society account.
- (b) The Group bank account(s) will be operated by the Group Treasurer and other persons authorised by the Group Executive Committee. A minimum of two signatories must be required for any withdrawals.
- (c) Under no circumstances must any monies received by a Section or supporter on behalf of the Group be paid into a private bank account.
- (d) Cash received for a specific activity may only be used to defray expenses of that same specific activity in the Group, unless agreed by the Group Executive Committee.

5.4 Books of Account

- (a) As a separate educational charity, the Group is under a statutory obligation to keep proper books of account.
- (b) 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.
- (c) Signed copies of the annual report and accounts must be sent to the District Treasurer within the 14 days following the Group's Annual General Meeting at which the annual report and accounts were received and considered. A copy of the annual report and accounts must also be sent to the Charity Commissioners within ten months of the financial year end.
- (d) Statements of account and all existing accounting records must be preserved for at least 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.

Part 6: This Constitution

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

In 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.

This document is based on The Scout Association's "Policy, Organisation and Rules" (P.O.R.). Where the two differ, P.O.R. takes precedence over 1st Appleby-in-Westmorland Scout Group. When P.O.R. is updated, the relevant changes will be reviewed by the Group Scout Leader, and appropriate changes proposed to the Group's constitution if necessary.

For any matter not covered in this constitution, reference should be made to P.O.R. The rules or recommendation made therein will then apply to the Group until consideration by the Group Executive Committee and/or the constitution is amended.

Approved by the Scout Group Council on:

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Signed on behalf of 1st Appleby-in-Westmorland Scout Group:

Signature	
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Signature	
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Name	
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Position	
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Revision History

Version 1			
