

# Chapter 5

## Local Scouting – Group, District, County Governance and finance

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This chapter describes governance and finance arrangements that apply within Groups, Districts and Counties.

Governance and finance arrangements which apply to countries and UK Headquarters are described in POR Chapter 6.

## **Rule 5.1 Scope <sup>SV</sup>**

- 5.1.1.1 Each Group, District and County is created, and must operate, as an independent educational charity within the Scouts' federated structure. This is a requirement whether or not the Group, District or County is registered with a charity regulator.
- 5.1.1.2 The governance, and the financial arrangements, for all Groups, Districts and Counties are governed by this chapter in POR.
- 5.1.1.3 Matters related to registered charities are included in Chapter 13 of POR.
- 5.1.1.4 For Counties that have no Districts, the County Executive Committee must ensure that District-related aspects of this chapter are enacted.

## **Rule 5.2 Management <sup>SV</sup>**

- 5.2.1.1 [Previous rule numbers 3.23(b), 4.22(b), 5.14(b) in the October 2022 POR]  
Each Group, District and County is a separate independent charity:
  - a) holding its property and equipment
  - b) admitting people to membership of the Scout Group, District or County,subject to the policy and rules of The Scout Association.

### **5.2.2 Scout Group**

*[Previous rule numbers 3.23(c,d) in the October 2022 POR]*

- 5.2.2.1. Leadership of a Group is described in POR 4.8.6.

### **5.2.3. Scout District**

*[Previous rule numbers 4.22(c,d) in the October 2022 POR]*

- 5.2.3 Leadership of a District is described in POR 4.9.1.

### **5.2.4 Scout County**

*[Previous rule numbers 5.14(c,d) in the October 2022 POR]*

- 5.2.4.1 Leadership of a County is described in POR 4.10.1.

## **5.3. Constitution**

### **5.3.1.1.** *[Previous rule numbers 3.24(Introduction), 4.25(a), 5.16(a) in the October 2022 POR]*

In the absence of an existing formally adopted constitution to the contrary, each Group, District or County constitution should adopt this rule 5.3, together with Rules 5.4 and 5.5, as its constitution, or as the basis of its constitution.

Rules 5.3, 5.4 and 5.5 together represent an ideal constitution and apply where the circumstances and the support allow.

### **5.3.1.2.** *[Previous rule numbers 4.25(c), 5.16(c) in the October 2022 POR]*

All elected and constitutional bodies of The Scout Association at County, and District should have as full voting members, at least two people aged between their 18<sup>th</sup> and 25<sup>th</sup> birthdays.

### **5.3.1.3.** *[Previous rule numbers 4.25(d), 5.16(d) in the October 2022 POR]*

This policy as a matter of good practice, should also be applied to any ad hoc, short or long term working groups or committees at County and District.

### **5.3.1.4.** *[Previous rule numbers 4.25(b), 5.16(b) in the October 2022 POR]*

There may be situations where it is impractical to implement the constitution in full, such as a District or County comprising large areas of especially difficult terrain and a small population, or a recently formed Group.

## **5.4. Constitution - Scout Councils**

### **5.4.1. Scout Council – purpose**

#### **5.4.1.1.** *[Previous rule numbers 3.24(Introduction), 4.25(e)(i), 5.16(e)(i) in the October 2022 POR]*

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

#### **5.4.1.2.** Membership of a Scout Council comprises four categories:

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

#### **5.4.1.3.** Membership of a Scout Council does not provide membership of the Scouts.

#### **5.4.1.4.** *[Previous rule number 3.24(a)(iii), 4.25(e)(iii), 5.16(e)(iii) in the October 2022 POR]*

Membership of the Scout Council ceases upon:

- a) the resignation of the member
- b) a member no longer qualifies as a member of the Scout Council
- c) dissolution of the Scout Council

When a nominated or co-opted member of a Scout Council stops being a member, the Executive Committee Secretary must ensure that the Scout Council member role is closed on the membership system.

## 5.4.2 Group Scout Council

*[Previous rule number 3.24(a)(i) in the October 2022 POR]*

5.4.2.1. The ex officio members of the Group Scout Council are:

- a) all adult members of the Scout Group – see Group roles listed in the Chapter 16 Roles Table
- b) Patrol Leaders
- c) parents or carers of Squirrels, Beavers, Cubs and Scouts
- d) Explorer Scouts, if stated in a Partnership Agreement between the Unit, the Group and the District
- e) parents and carers of Explorers, if stated in a Partnership Agreement between the Unit, the Group and the District
- f) the Sponsoring Authority or its nominee
- g) the District Commissioner
- h) the District 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 Executive Committee:

- a) the number of nominated members must not exceed the number of ex officio members
- b) a nominated members must be appointed for a fixed period not exceeding three years. Subsequent reappointments are permitted.

5.4.2.2. The County Commissioner has **right of attendance** at meetings of the Group Scout Council

## 5.4.3 District Scout Council

*[Previous rule number 4.25(e)(ii) in the October 2022 POR]*

5.4.3.1. The ex officio members of the District Scout Council are:

- a) all adult members and associate members of the Scout District (see District roles listed in the Chapter 16 Roles Table).
- b) all adults with the following appointments in the Scout Groups in the District:
  - Group Scout Leader
  - Deputy Group Scout Leader
  - Group Chair
  - Group Secretary
  - Group Treasurer
  - Section Leader

- Assistant Section Leader
  - Group Active Support Manager
- c) all Explorer Scouts (including Young Leaders)
- d) parents or carers of Explorer Scouts
- e) all members of the Scout Network
- f) a representative of the District Troop Leadership Forum, selected from amongst the membership of the Forum
- g) the County Commissioner
- h) the County Chair

#### 5.4.3.2. **Nominated members**

Nominated members are other supporters of the District appointed by the District Scout Council on the recommendation of the District Commissioner and the District 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 three years. Subsequent reappointments are permitted.

#### 5.4.4 **County Scout Council**

*[Previous rule number 5.16(e)(ii) in the October 2022 POR]*

##### 5.4.4.1. The ex officio members of the County Scout Council are:

- a) all adult members and associate members of the Scout County (see County roles listed in the Chapter 16 Roles Table)
- b) the Regional Commissioner (in England and Wales)
- c) all adults holding the following appointments from the Scout Districts in the County:
  - District Commissioner
  - District Youth Commissioner
  - District Chair
  - District Secretary
  - District Treasurer
  - District Scout Active Support Manager
- d) a representative of the County Troop Leadership Forum, selected from amongst the membership of the Forum
- e) A representative of the County Explorer Scout Forum, selected from amongst the membership of the Forum
- f) A representative of the Scout Network, selected from amongst the membership of the District Scout Networks in the County

##### 5.4.4.2. The **nominated** members of the County Scout Council are drawn from these four categories:

- a) members nominated by District Scout Councils
- b) Explorer Scout members nominated by District Explorer Scout Meetings
- c) District Scout Network members nominated by the District Scout Network

d) other supporters of the County appointed by the County Scout Council on the recommendation of the County Commissioner and the County Executive Committee. They are not required to be members of the Scouts.

The number of persons nominated annually to the County Scout Council from each of the above categories is decided by the County Scout Council at their Annual General Meeting.

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 three years. Subsequent reappointments are permitted.

- 5.4.4.3. The County Scout Council may co-opt members annually. Such co-opted members may include representatives of organisations with whom it is desired to maintain co-operation e.g. Girlguiding, religious bodies, other youth organisations and Local Education Authorities.

Co-opted members are nominated by the County Commissioner. They are not required to be members of the Scouts.

The number of co-opted members must not exceed the total of ex officio and nominated members.

Co-opted (and other) members of Council have no membership status within Scouts (see 5.4.1.3).

#### **5.4.5 Annual General Meeting of a Scout Council**

*[Previous rule numbers 3.24(a)(iv), 4.25(e)(iv) and 5.16(e)(iv) in the October 2022 POR]*

- 5.4.5.1 Each Scout Council must hold an Annual General Meeting within 6 months of the end of the charity's financial year.
- 5.4.5.2 The Annual General Meeting must:
- a) adopt (or reconfirm) certain resolutions:
    - per rule 5.5.3.3, agree the quorum for each of:
      - o meetings of the Scout Council
      - o meetings of the Executive Committee
      - o meetings of any sub-Committees
    - per rules 5.5.2.7, 5.5.2.8, 5.5.2.9, agree the number of members that may be elected to the Executive Committee
    - adopt (or re-confirm the adoption of) the constitution of the Scout Council (See Rule 5.3)
  - a) receive and consider the Trustees' Annual Report and the annual statement of accounts prepared by the Executive Committee (following completion of their examination by an appropriate auditor, independent examiner, or scrutineer)
  - b) approve the nomination of the Executive Committee Chair and nominated members of the Executive Committee
  - c) elect a Secretary and Treasurer

- d) elect members to the Executive Committee
  - e) appoint an auditor, independent examiner or scrutineer as required
  - f) appoint (or re-appoint) any Presidents or Vice Presidents (see the Chapter 16 Roles Table).
- 5.4.5.3 The Annual General Meeting of a County Scout Council must:
- a) as appropriate, elect representative(s) of the County Scout Council to serve as Nominated Members of the Council of The Scout Association
  - a) as appropriate, elect representative(s) of the County Scout Council to serve as Nominated Youth Member on the Council of The Scout Association
- 5.4.5.4. Following the Annual General Meeting, the Executive Committee Secretary must ensure that:
- a) all nominated and elected trustees are recorded on the membership system, as required by Rule 16.1.3.
  - a) the Trustee Annual Report and Accounts are filed as described in rules 5.5.1.3, 5.5.1.4 or 5.5.1.5 as appropriate.
- 5.4.5.5 Governance roles must be distinct to help manage conflict of interest. This means that the Chair, Secretary and Treasurer roles must not be combined in any way.

## **Rule 5.5 Constitution - Executive Committees**

*Refer to separate document - "Briefing notes for EGM" for details of this section.*

## **Rule 5.6 Finance**

*Refer to latest edition of the Scout Association document 'Policy, Organisation & Rules' for details of this section.*