

Falkes Scouting Governance, Constitution Trusteeship of Finance, Property and Equipment

Falkes (Luton) District Scouts (known as the district) is governed by the UK Scout Association POR (Policy, Organisation and Rules) chapter 5 and chapter 13. The district is a separate unincorporated educational charity within the Scouts' federated structure and operate as such.

The members of Falkes District are the members of the Scout Council as defined in this chapter.

Constitution

The district is registered with the Charities Commission.

The districts' purpose is to actively engage and support young people in their personal development, empowering them to make a positive contribution to society.

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.

The Falkes (Luton) District Scout Council - membership

The District Scout Council is the body which has charity responsibility for Scouting in the district. The Trustee Board is accountable to the Scout Council for the governance of the charity. The Scout Council has no Trustee responsibilities.

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

A Secretary must ensure that nominated and co-opted Scout Council Members are recorded in the minutes of the District Scout Council meeting which is normally the Annual General Meeting. Nominated and co-opted District 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.

District Scout Council membership

The ex officio members of the District Scout Council are:

Adult members of the Scout District.

Adults with the following appointments in the Scout Groups in the District

Group Scout Leader

Deputy Group Scout Leader

Group Trustee Board Chair

Group Trustee Board Treasurer

Section Leader

Assistant Section Leader

Group Active Support Manager

Explorers (including Young Leaders)

Members of the District Scout Network

Parents and carers of Explorers

Representative of the District Troop Leadership Forum, selected from amongst the membership of the Forum.

County Commissioner

County Trustee Board Chair

The nominated members of the District Scout Council are other supporters of the district appointed by the District Scout Council on the recommendation of the District

Commissioner and the District Trustee Board. The number of nominated members must not exceed the actual number of ex officio members.

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

Appointment to the District Scout Council, other than above are subject to POR Chapter 5 c), 5 e), 5 f), 5 g) 5h).

Membership of the District Scout Council ends when the:

Member resigns.

Member no longer qualifies as a member of the District Scout Council.

District Scout Council is dissolved.

District Scout Council membership is terminated by UK Headquarters following a recommendation by the District Trustee Board.

Scout Council - Annual General Meeting

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

The Annual General Meeting must:

- Undertake governance oversight.
- Adopt (or re-adopt) the constitution of the District.
- Note the dates of charity's financial year. 1st January to 31st December.

- Number of members that may be elected to the Trustee Board: 7

- Agree the quorum for each:
 - Meetings of the Scout Council: 20
 - Meetings of the Trustee Board: 5 (Must include District Chair or District Commissioner/District Lead Volunteer).
 - Emergency meeting of the Trustee Board: 3 (Must include District Chair or District Commissioner/District Lead Volunteer).
 - Electronic voting (such as email): 7 (Must include District Chair or District Commissioner/District Lead Volunteer).
 - Meetings of any sub-Committees: 50%
 - 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.
 - The Trustees' Annual Report and Accounts presented to the Scout Council must include the formal report prepared by the auditor, independent examiner, or scrutineer.
 - Agree appointments of Board of Trustees, each for a period of 3 years and ratified by the District Scout Council.
 - Ex officio appointments on the board of trustees is for the period the person is in office.
 - The Chairperson will be nominated by the District Team Leader and confirmed by the Board of Trustees, then ratified by the District Scout Council.
 - Board of Trustees appoint Treasurer to the Trustee Board, then ratified by the District Scout Council.
 - Elect Trustees to the Trustee Board
 - Board of Trustees appoint members of the Trustee Board, then ratified by the District Scout Council.

- Approve the appointment (or re-appointment) of any Presidents or Vice Presidents.
- Appoint (or re-appoint) an auditor, independent examiner or scrutineer as required.
- The Annual General Meeting of a District Scout Council must:
 - Nominate representatives of the District Scout Council to represent the District on the County Scout Council.

All nominated or elected Trustees are recorded on the membership system.

the Trustee Annual Report and Accounts are filed as described in Rule 5.5

It is good practice for the Trustee Board to verify the draft Minutes of the Annual General Meeting at their first meeting following the Annual General Meeting, even though the minutes cannot be formally approved until the charity's next Annual General Meeting.

Governance roles must be distinct to help manage conflict of interest. This means that the roles of Chair and Treasurer must not be combined in any way.

Trustee Board - membership

Subject to the conflict of interest, a Trustee may be a member of more than one Trustee Board.

Ex officio and appointed members of the Trustee Board are charity Trustees of the District as appropriate.

People invited to attend, or with right of attendance, may be present at the meeting but are not charity Trustees and have no voting rights.

Trustee's must be eligible to be a member of the District Board of Trustee.

All Trustees must complete training as specified in POR.

Trustees must attend 50% of Board Meeting and complete training requirements. If the Trustee failure to attend meeting without good cause and issue of apology before the meeting or fail to complete their training obligations may find themselves subject to a vote of no confidence and removed from the Board of Trustees.

At District, all Trustee Boards and any sub-committees should, wherever possible, have as full voting members at least two people aged between their 18th and 25th birthdays. Groups are encouraged to follow this good practice wherever possible.

The District Trustee Board

Maximum number of members of the District Trustee Board is 9.

The ex officio members of a District Trustee Board is 2 and are:

The District Commissioner

The District Youth Commissioner

Other appointed members is 7 and are:

The District Chair

The District Treasurer

Other Trustee Members

Members of a District Trustee Board are persons appointed by the board of trustees and ratified by the District Scout Council at the District Annual General Meeting.

The County Commissioner and the County Chair have the right of attendance at meetings of each of the District Trustee Boards in the County.

Trustee Board - Purpose

This rule reflects the Trustee Board responsibilities.

The district is a charity. The Charity Trustees must collectively:

- Ensure that the charity is carrying out its purposes for the public benefit.
- Comply with the charity's governing document and the law.
- Act in the charity's best interests.
- Manage the charity's resources responsibly.
- Act with reasonable care and skill.

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.

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

The Trustee Board must act in the charity's best interests, acting with reasonable care and skill and take steps to be confident that:

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.
- 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.
- Young people are meaningfully involved in decision making at all levels.
- There are sufficient resources (funds, people, property and equipment) available to meet the planned work of the District including delivery of the high quality programme and resource requirements of the training programme.
- The Scouts has a positive image in the local community

The Trustee Board members must themselves collectively:

- Develop and maintain a risk register, including putting in place appropriate mitigations.
- Ensure that the charity's finances are properly managed, including development and maintenance of appropriate budgets to support the work of the charity.

Maintain and manage:

- A reserves policy for the charity (including a plan for use of reserves outside the 'minimum')

- an investment policy for the charity.
- A public benefit statement for the charity.
- 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.
- Promote and support the development of Scouting in the local area.
- Ensure the appointment and management and operation of any sub-committees, including appointing a Chair to lead the sub-committee.
- Ensure that effective administration is in place to support the work of the Trustee Board.
- Appoint any Administrators, Advisers, and co-opted members of the Trustee Board.

Ensure transparency of operation, including:

- 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.
- 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 County Trustee Board administration and, if a registered charity, is filed with the appropriate charity regulator (if the regulator's rules require it).
- 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
- individually and collectively maintain confidentiality regarding appropriate Trustee Board business.

The District Trustee Board must also:

- Provide any necessary support to the District Commissioner, when required, to assist the opening, change, merging or closing of Groups, Explorer Units, Scout Networks and Scout Active Support Units in the District
- The purpose of each sub-committee is clear and has been agreed by the Trustee Board.
- Each sub-committee of the Trustee Board consists of members approved by the Trustee Board
- the Chair of the Trustee Board is an ex officio member of each sub-committee.
- The District Commissioner is an ex officio member of each sub-committee.
- Members of sub-committees are not Trustees unless they are members of the Trustee Board.

In support of effective governance:

The District Chair and Treasurer should create a support network amongst the Group Chairs and Treasurers of the District.

Trustee Board - Conduct of meetings

Only members of a Trustee Board may vote in meetings of the Trustee Board.

At its Annual General Meeting, the Scout Council must make a resolution defining a quorum for meetings of the Scout Council and the Trustee Board and its sub-Committees.

Decisions are made by a majority of 51% 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.

To discharge their responsibilities, the Trustee Board may meet by telephone and/or video conference as well as face to face when agreed by the Chair.

Emergency meeting of the Trustee Board must be a minimum of 3 board members and must include District Chair or District Commissioner/District Lead Volunteer. The meeting need and outcome of the voting must be reported and recorded in the minutes at the next Trustee Board meeting.

Electronic voting (such as email) is allowed for decision making of the Trustee Board when deemed appropriate by the Chair (for example, where a pressing matter arises between meetings). In such instances at least 75% of its members must approve the decision. The the outcome of the voting must be reported and recorded in the minutes at the next Trustee Board meeting.

District miscellaneous rules:

Maintenance of the hut must come from both the maintenance and fundraising subs committees.

A minimum of £50000.00 must be kept in easy access "District" bank accounts, this excludes monies held in fixed bonus accounts held in higher interest accounts.

Risk management:

1. All District Lead Volunteers, including District Units must have Risk assessments in place.
2. Falkes (HQ) Ross Park Risk assessment must be kept in an electronic folder.
3. £500.00 is the amount that can be spent by the District chair or DLV in their duties of building maintenance without authorisation by the District Trustee Board.
4. All Trustees must be DBS checked before attending Board meetings.