

SCOTTISH VARIATIONS FROM THE MARCH 2017 EDITION OF THE POLICY, ORGANISATION AND RULES (P.O.R.) OF THE SCOUT ASSOCIATION

N.B. These variations largely follow the format of POR March 2016 Edition, however added are: Annex A - Model Constitution for a District Scout Council and Annex B - Model Constitution for a Regional Scout Council Updated with effect 10th June 2017 and 16th September

Introduction

The Board of the Scout Association is empowered to appoint local bodies for the management of the Association's affairs in any particular part of the United Kingdom and to delegate to them all or any of the Committee's powers. The affairs of the Association in Scotland have been delegated to Scouts Scotland (also referred to as Scottish Headquarters or SHQ), with a board (known as the Scottish Board) for the management of its business.

As explained on page 4 of Chapter 6 in the September 2012 edition of POR, some of the Rules in POR do not apply in Scotland without modification. This paper sets out Scottish variations, as approved by the Scottish Board.

In relation to Scotland, the term "Country Headquarters" means Scottish Headquarters.

County - although in some parts of the British Isles Scout Counties are known as Areas or Islands - and in one case Bailiwick - for ease of reading POR simply refers to County/Countries. With effect from 1 April 2008 there is no direct equivalent to County or Area in Scotland.

Region / District - In Scotland

Scouting is organised into Districts and Regions, each with distinct responsibilities. Some 'County' functions are the responsibility of Scottish Regions, whilst others lie with Scottish Districts. The locus of responsibility is outlined in Scottish Variations from POR. Unless otherwise stated, all references to 'County' or 'Countries' relate to 'Region' or 'Regions' in Scotland.

Scottish Variations identifies which of these functions fall under the specific responsibility of Districts in Scotland.

Regional Commissioners

Any reference to the post of Regional Commissioner refers to England and Wales, and Scotland only. In Scotland a Regional Commissioner leads an executive Scout Region and is answerable to the Chief Commissioner of Scotland. In England and Wales a Regional Commissioner leads a non-Executive Region.

Chapter 3

The Scout Group

Rule 3.20 Suspension of Registration

e. In such a case the Regional Commissioner may direct that Groups will not be suspended but attached to a neighbouring District.

Rule 3.21(f) Cancellation of Registration and the Closure of Sections within a Scout Group

A Scout Group is not permitted to transfer from The Scout Association to any other body whether calling itself a Scout organisation or by any other name.

Rule 3.23(b) The Group Executive Committee

ii. All ex officio, nominated, elected and co-opted Members of the Executive Committee must act collectively as Charity Trustees (if a Scout Group is a registered charity) or with the same duties and responsibilities as Charity Trustees if they are not 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 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 Chairs to lead the 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, or independent examiner.
 - 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, appropriate charity regulator. (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.
- v. Additional Requirements for Charity Trustees:
- A Scout Group in Scotland may be registered as a charity. (See rule 13.1)
 - 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.
 - 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.
 - 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)
 - Certain people are disqualified from being charity trustees by virtue of the Charities and Trustee Investment (Scotland) Act 2005. (See rule 13.1)
 - Charity Trustees are responsible for ensuring compliance with all relevant legislation including the Data Protection Act.

Rule 3.26 (b) The Appointment of Adults

(b) A personal enquiry (including where relevant a criminal records disclosure check) will always be required for a person aged 18 or over who meets any of the following criteria:- sv

- Wishes to become a member or associate member (for members of Scout Network see 3.26 (m) below) or,
- Will become a trustee of a Scout body registered as a Scottish charity; or
- Will be assisting with overnight activities (including Nights Away): or
- Will undertake any other adult role that may be determined to be a 'childcare ' role under the Protection of Children (Scotland) Act; or
- Will have unsupervised access to young people

(d) Where any of the conditions of 3.26 (b) above are met and the individual does not otherwise hold a role requiring a disclosure, the individual must be recorded as a Non member PVG only on Compass and personal enquiry (including criminal records disclosure check) undertaken

Other casual helpers should complete a Self-declaration form available from Scottish Headquarters.

3.26 (k)

Parents and other regular helpers who are involved with the Group monthly or more often must undergo a PVG Scheme membership check and should be appointed as Section Assistants
 Membership of the PVG scheme is also required for those involved less often than monthly if the 'normal duties' they are required to undertake meet the definition of 'regulated work 'with children as defined in the Protection of Vulnerable Groups (Scotland) Act 2007

3.26 (i) There is no role of Occasional helper in Scotland

Rule 3.48 Finance and the Scout Group

Certain rules in this Section do not apply, without modification, in parts of the British Isles outside England and Wales. (See also Scottish Variation from Chapter 13).

- Every Scout Group is required to keep proper books of accounts.
- The Charities Acts apply directly only in England and Wales. Charities in Scotland must comply with the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006.
- The Group Executive Committee must ensure that proper financial planning and budgetary control is operated within the Group.

- d. The Group Scouters' Meeting must be consulted on the financial planning of the group's activities.
- e. All expenditure not specifically delegated to the Group Scouters' Meeting or Section Leaders must be approved by the Group Executive Committee to ensure that the Group can meet any liability incurred.
- f. 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.
- g. An Annual Report and Statement of Account must be prepared annually and be independently examined or audited as appropriate in accordance with these Rules.
- h. The Group must ensure that signed copies of the annual report and accounts are sent to the District Treasurer within the 14 days following the Group's Annual General Meeting at which the annual report and accounts were considered and approved.
- i. If called upon to do so, the Group Treasurer must also send a copy of the latest statement of accounts to the Regional Treasurer or Headquarters.
- j. If the Group is a registered Scottish charity a copy of the annual report and accounts must also be sent to the Office of the Scottish Charity Regulator within nine months of the Group's financial year end.
- k. The annual statement of accounts must account for all monies received or paid on behalf of the Group, including all Sections, Committees and the Group Scout Active Support Unit..

l. If the annual gross income or expenditure is above the limits laid down in the factsheet 'Accounting and Audit Requirements for Group, Districts, Counties/Areas and Scottish Regions the statement of accounts must be in the form of a Statement of Financial Activities (SOFA) with balance sheet. The factsheet is available from www.scouts.org.uk

- m. If the gross income or total income is less than the limits laid down in the factsheet an annual 'receipts and payments' account together with a statement of assets and liabilities may be prepared instead.

n. If the Group is a Registered Charity, the Annual Report and Statement of Account must include

- A Trustee's Annual Report
- An Independent Examiners' Report
- A Receipts and Payments Account
- A Statement of Balances (including a list of assets and liabilities)
- Notes to the Accounts

q. The annual Statement of Account may be in the format of one of two model annual statements available from Scottish Headquarters. These models are suitable for:

- Receipts and payments accounts
- Fully Accrued (SORP) accounts

The appropriate model will depend upon the gross income in the financial year and whether the Group has any special funds whose use is restricted to particular purposes rather than the general purposes of the Scout Group.

r. At each Annual General Meeting of the Group Scout Council an auditor or independent examiner as appropriate must be appointed.

s. Each Group can decide if they need an auditor or independent examiner by reference to the factsheet 'Accounting and Audit Requirements for Group, Districts, Counties/Areas and Scottish Regions

t. The auditor or independent examiner must carry out an external examination of the accounts in accordance with the requirements of the Charities and Trustee Investments (Scotland) Act 2005

u. A report to the trustees (the Group Executive) must be completed in accordance with one of the models in the specimen accounts referred to in the SHQ Guidance as appropriate to an independent examiner or an auditor.

v. An auditor or independent examiner is required to carry out the work programme defined in one of the models in the specimen accounts referred to in the SHQ Guidance

Rule 3.50 Bank Accounts

g. Group funds must be invested as specified by the Charities and Trustees Investment (Scotland) Act 2006.

Rule 3.52 Disposal of Group Assets at Closure

d. Any assets remaining after the closure of a Group will automatically pass to the District Scout Council, which shall use or dispose of these assets at its absolute discretion solely for the purposes of Scouting.

Rule 3.54 (a) and (b) Payment of the Membership Subscription

In terms of the Constitution of the Scottish Council, the Membership Subscription in Scotland is in two parts viz. (a) a sum payable to UK Headquarters (through Scottish Headquarters), the amount of which is determined by agreement between UK Headquarters and the Scottish Board and (b) a sum determined annually by the Scottish Council at its Annual General Meeting.

Chapter 4

The Scout District

Rule 4.4(c) Transfer of membership

If a Member leaves a Scout Network due to moving to another locality, the District Scout Network Commissioner should inform the District Scout Network Commissioner (County Scout Network Commissioner outside Scotland) of the District (County) into which the Member is moving.

Rule 4.19(c) Suspension of Explorer Scout Units

Suspension may also be a consequence of the suspension of the District. In such a case the Regional Commissioner may direct that Explorer Scout Units will not be suspended but attached to a neighbouring District.

Rule 4.21(e) Cancellation of Registration of the Scout District

A Scout District is not permitted to transfer from The Scout Association to any other body whether calling itself a Scout organisation or by any other name.

Rule 4.25 (e), (f) and (i) The Constitution of the Scout District; the District Executive Committee; Conduct of Meetings in the Scout District

The Model Constitution for a Scottish District is appended as Annex A to Scottish Variations from POR and replaces the above.

Rule 4.25 (f) The District Executive Committee

ii. All ex officio, nominated, elected and co-opted Members of the Executive Committee must act collectively as Charity Trustees (if a Scout District is a registered charity) or with the same duties and responsibilities as Charity Trustees if they are not 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 District.
- Manage the District 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 Chairs to lead the sub-Committees.
- Ensure that Young People are meaningfully involved in decision making at all levels within the District.
- The opening, closure and amalgamation of Groups, Explorer Scout Units, Scout Network and Scout Active Support Units in the District as necessary.
- Appoint and manage the operation of an Appointments Advisory Committee, including appointing an Appointments Committee Chair to lead it.
- Supervising the administration of Groups, particularly in relation to finance and the trusteeship of property.

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, or independent examiner.
- Present the Annual Report and Annual Accounts to the Scout Council at the Annual General Meeting; file a copy with the Regional Executive Committee; and if a registered charity, appropriate charity regulator. (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.

iii The ex officio membership of the District Executive does not apply to the District Youth Commissioner in Scotland, but the District Youth Commissioner and an Assistant District Commissioner (Youth Involvement) can serve on the District Executive in an elected, nominated or co-opted position.

v. Additional Requirements for Charity Trustees:

- A Scout District in Scotland may be registered as a charity. (See rule 13.1)

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

Rule 4.26 Administrators and Advisers

- c. The appointment of the District Chairman is approved by the District Scout Council at its Annual General Meeting. The appointment may not be held by a Leader, Manager or Supporter holding a District level appointment in the District.
- e. The District Secretary - unless employed by the District - is elected by the District Scout Council at the Annual General Meeting every year. The appointment may not be held by a Scouter holding a District level appointment in the District.
- f. The District Treasurer is elected by the District Scout Council at the Annual General Meeting every year. The appointment may not be held by a Scouter holding a District level appointment in the District.

Rule 4.28 The Appointment of Adults in the Scout District

The variation to Rules 3.26 set out above in relation to Scout Groups also apply to Scout Districts.

Rule 4.44(f) District Youth Commissioner

In Scotland the youth involvement agenda is embedded at all levels. At District level an Assistant District Commissioner (Youth Involvement) should be appointed

The functions of the appointment of an Assistant District Commissioner (Youth Involvement) in Scotland are:

As a member of the District Leadership team the Assistant District Commissioner (Youth Involvement) works in partnership with the District Commissioner and Chairman of the District Executive Committee. The role is to ensure that young people from 6-25 years are involved and engaged in every decision that shapes their Scouting experience locally and to empower young people to share their ideas and have a meaningful voice in planning, implementing and reviewing their programme and opportunities. The Assistant District Commissioner (Youth Involvement) also supports the District Youth Advisory Group which will be set up in each District and will be chaired by a District Youth Commissioner who will be elected by their peers according to the Youth Involvement Strategy of Scouts Scotland

Rule 4.44(g) Assistant District Commissioner (Adult Training)

Assistant District Commissioners (Adult Training) are appointed by the District Commissioner to:

- Lead Training in the District
- Identify, allocate and support Training Advisors
- Arrange the delivery of Getting Started Modules in the District
- Support the District Commissioner in his/her responsibilities for ongoing learning
- Support the training responsibilities of members of the District Team

ADCs (AT) must complete Module 30 Supporting Learning, Module 31 Planning a Learning Experience and Module 32 Delivering a Learning Experience

Rule 4.46 Responsibility for Specialist Subjects

a. In agreement with the Regional Commissioner, Assistant District Commissioners may be appointed to assist the District Commissioner with a variety of special responsibilities. This may include the Duke of Edinburgh's Award, Air and Water Activities, Inclusion and Media Relations.

Rule 4.56 c The Duke of Edinburgh's Award

See Rule 4.46 (a).

Rule 4.57 The Queen's Scout Award

c. The completed application is sent to Scottish Headquarters who will dispatch the appropriate emblems and badges to the District Commissioner or their nominee for presentation.

Rule 4.59 Finance and the Scout District

The variation to Rule 3.48 set out above in relation to Scout Groups also applies to Scout Districts.

Rule 4.61 Bank Accounts

g. District funds must be invested as specified by the Charities and Trustees Investment (Scotland) Act 2006.

Rule 4.64 Disposal of District Assets at Closure

d. Any assets remaining after the closure of a District will automatically pass to the Regional Scout Council which shall use or dispose of these assets at its absolute discretion solely for the purposes of Scouting.

Chapter 5

The Scout Region

With effect from 1st April 2008 there are no Scout Areas (Counties) in Scotland. Some functions of Scout Areas (Counties) are transferred to Districts and some to Scottish Regions.

A Scout Region comprises several Scout Districts. Additionally the Region may have one or more Regional Scout Active Support Units.

A Scout Region has strategic responsibility for Development, Communication and Adult Training. Responsibility for Youth Programme lies with Districts.

Unless otherwise noted below, the rules applying to Scout Counties also apply to Scout Regions in Scotland.

Rule 5.4 (c) Transfer of Membership, Rule 5.5 (d) Annual Census

These responsibilities transfer to Districts.

Rule 5.6 (j) Mixed Membership

Reference to Scout Network transfers to Scout Districts.

Rule 5.13 Cancellation of Registration of the Scout Region

e. A Scout Region is not permitted to transfer from The Scout Association to any other body whether calling itself a scout organisation or by any other name.

Rule 5.14 Management of the Scout Region

c. The Regional Commissioner is assisted and supported by the Regional Team, comprising Assistant Regional Commissioners for Adult Training, Communications, Development and Section Support.

Rule 5.16 (e), (f) and (h) The Constitution of the Scout County; the County Executive Committee; Conduct of Meetings in the Scout County

The Model Constitution for a Scottish Region is appended as Annex B to Scottish Variations from POR and replaces the above.

Rule 5.16 (f) The Regional Executive Committee

ii. All ex officio, nominated, elected and co-opted Members of the Executive Committee must act collectively as Charity Trustees (if a Scout Region is a registered charity) or with the same duties and responsibilities as Charity Trustees if they are not 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 used by the Region.
- Manage the Region 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 Chairs to lead the sub-Committees.
- Ensure that Young People are meaningfully involved in decision making at all levels within the Region.
- The opening, closure and amalgamation of Districts, Scout Network (where they exist) and Scout Active Support Units in the Region as necessary.
- Appoint and manage the operation of an Appointments Advisory Committee, including appointing an Appointments Committee Chair to lead it.

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 Scottish Headquarters and if a registered charity, submit to the appropriate charity regulator. (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.
- lli The ex officio membership of the Regional Executive does not apply to the Regional Youth Commissioner in Scotland, but the Regional Youth Commissioner and an Assistant Regional Commissioner (Youth Involvement) can serve on the Regional Executive in an elected, nominated or co-opted position.

v. Additional Requirements for Charity Trustees:

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

h. The Regional Team Meeting

i. The Regional Team, comprising all Assistant Regional Commissioners, and Regional Scout Active Support Managers, meet as frequently as necessary under the chairmanship of the Regional Commissioner.

ii. The purpose of the Regional Team Meeting is to:

- review the progress, standards and effectiveness of Scout programmes in the Districts of the Region, including the Scout Network;
- plan a programme of visits to Districts to give support and encouragement to Leaders and Commissioners;
- plan the provision of Adult Training;
- secure the support of the Scout Active Support in the work of the Region;
- keep the Regional Executive Committee advised of the financial requirements of the training programme in the Region.

Rule 5.17 Administrators and Advisers

c. The Regional Chair

The appointment of the Regional Chair is approved by the Regional Scout Council at its Annual General Meeting. The appointment may not be held by a Scouter holding a Region-level appointment in the Region.

e. The Regional Secretary

Unless employed by the Region - is elected by the Regional Scout Council at the Annual General Meeting every year. The appointment may not be held by a Scouter holding a Region appointment in the Region.

f. The Regional Treasurer

This appointment is elected by the Regional Scout Council at the Annual General Meeting every year. The appointment may not be held by a Scouter holding a Region appointment in the Region.

Rule 5.19 The Appointment of Adults in the Scout Region

The variations to Rule 3.26 set out above in relation to Scout Groups also apply to Scout Regions.

Rule 5.35 Responsibilities of Appointments in the Scout Region

a. The Regional Commissioner

i. The Regional Commissioner is responsible to the Chief Commissioner for support and development of Scouting within the Scout Region.

vi. If the office of Regional Commissioner is vacant, the Chief Commissioner will either nominate an Assistant Regional Commissioner or another Commissioner to act in this capacity or will perform these duties themselves.

b. The Depute Regional Commissioner

i. Depute Regional Commissioners may be appointed to assist and deputise for the Regional Commissioner.

ii. The duties of the appointment are determined by the Chief Commissioner of Scotland and will additionally include Region-specific tasks to be defined by the Regional Commissioner at the time of appointment.

d. Assistant Regional Commissioner (Adult Training)

i. An Assistant Regional Commissioner (Adult Training) may be appointed to assist the Regional Commissioner with the delivery and validation of learning.

ii. The functions of the appointment are to:

- Determine, review and maintain the appropriate structure for the support of learning opportunities in the Region;
- Support those involved in the management, delivery and administration of training;
- Plan and ensure the delivery of the learning provision in the Region for Modules 5 – 36 so that all adults in Scouting completing a 'Personal Learning Plan' have access to suitable learning opportunities using a variety of methods;
- Ensure that people involved in training are suitably qualified (that is have attained or are actively working towards the relevant module) and effective;
- Ensure that the recommendation of Wood Badges is carried out;
- Implement The Scout Association's training policy within the Region;

iii. Assistant Regional Commissioners (Adult Training) must complete Module 33 *Planning a learning provision* and Module 34 *Managing a learning provision* within three years of appointment.

e. Local Training Managers

This Rule is deleted as the role does not exist in Scotland.

f. Assistant Regional Commissioners

i. Assistant Regional Commissioners are appointed to assist the Regional Commissioner with particular duties relating to Adult Training, Communication, Development, Explorer Scouts, Scout Network, Youth Involvement and Section Support

j. In Scotland the youth involvement agenda is embedded at all levels. At Region level an Assistant Regional Commissioner (Youth Involvement) should be appointed

the functions of the appointment of an Assistant Regional Commissioner (Youth Involvement) in Scotland are:

As a member of the Regional Leadership team the Assistant Regional Commissioner (Youth Involvement) works in partnership with the Regional Commissioner and Chairman of the Regional Executive Committee. The role is to ensure that young people from 6-25 years are involved and engaged in every decision that shapes their Scouting experience locally and to empower young people to share their ideas and have a meaningful voice in planning, implementing and reviewing their programme and opportunities. The Assistant Regional Commissioner (Youth Involvement) also supports the Regional Youth Advisory Group which will be set up in each Region and will be chaired by a Regional Youth Commissioner who will be elected by their peers according to the Youth Involvement Strategy of Scouts Scotland

Rule 5.36 Responsibility for Sectional Matters

a. Assistant Regional Commissioners (Section Support) may be appointed to support:

- Beavers, Cubs and Scouts
- Explorer Scouts
- Scout Network
- Explorer Scouts and Scout Network.

b. The Assistant Regional Commissioner is usually a Scouter experienced in the particular Section concerned and will normally have completed Wood Badge Training for that Section.

c. The functions of the appointment are:

- To assist the Regional Commissioner with supporting the Section in the Districts, including the personal support and encouragement of District Commissioners and Assistants;
- To visit Districts and provide technical advice on their operations;

NB: Region has no responsibility for organising Programme events.

Rule 5.37 Responsibility for Specialist Subjects

Regional Advisers may be appointed to assist the Regional Commissioner with a variety of special responsibilities including the Duke of Edinburgh's Award, Activities, Inclusion and International

Rule 5.38 Responsibility for General Duties

This rule is deleted as it does not apply in Scotland.

Rule 5.44 The Duke of Edinburgh's Award

The Regional Commissioner should appoint a Regional Adviser for the Duke of Edinburgh's Award. Where a Regional Adviser is not in post, the D of E Manager at Scottish Headquarters will assume responsibility for the award in the interim.

Rule 5.45 The Queen's Scout Award

This is a District responsibility.

See Scottish Variation from Rule 4.57.

Rule 5.47 Finance and the Scout County

The variation to Rule 3.48 set out above in relation to Scout Groups also applies to Scout Regions.

Rule 5.48 Funds administered by the Scout Network, Scout Active Support and other Scout Sections in the County

Delete all references to Scout Network refer to Rule 4.60.

Rule 5.49 Bank Accounts

g. Region funds must be invested as specified by the Charities and Trustees Investment (Scotland) Act 2006.

Rule 5.52 Disposal of Region Assets at Closure

d. Any assets remaining after the closure of a Region will automatically pass to the Country Headquarters, which shall use or dispose of these assets at its absolute discretion, solely for the purposes of Scouting.

Chapter 6

The Structure of the Headquarters of The Scout Association

Regional Commissioners

In Scotland Regional Commissioners are appointed by the Chief Commissioner.

- The appointment of a Regional Commissioner remains valid until the fifth anniversary of the date of the appointment.
- The appointment of Regional Commissioners is subject to formal review by the Chief Commissioner (using Form AR)
- The appointment of a Regional Commissioner may be renewed for a second period not exceeding five years.
- Regional Commissioners are Ex officio members of all District Scout Councils in their Region and have Right of Attendance at all District Executive Committees in their Region.

The Country Scout Councils of Northern Ireland, Scotland and Wales

Under the Scout Constitution for Scotland, the affairs of The Scout Association are under the charge of Scouts Scotland, with a Board for the management of its business. Under the authority of Headquarters, Scottish Headquarters is the body responsible for matters of programme, training and administration in Scotland.

Scotland has separate legal and educational systems and its own system of National (Scottish) and local government. Certain Rules concerning trusteeship, property and charitable status therefore do not apply in Scotland without modification. There are no Scout Areas (Counties) in Scotland. Some functions of Scout Areas (Counties) are allocated to Scout Districts and some to Scout Regions.

Scouting Magazine

In Scotland a magazine branded as Scouting Scotland is issued and contains elements of content that are exclusive to the membership in Scotland.

www.scouts.scot is the official website of Scouting in Scotland

Rule 6:2 (v) There is no role as an Occasional Helper in Scotland

Chapter 9

Activities

Rule 9.1 Activity Rules - Application

c. The District Commissioner is responsible for approving all activities for Scout Network Members. This will usually be by means of an informal system agreed between the District Commissioner and the District Scout Network Commissioner.

d. The relevant District or Regional Commissioner is responsible for approving all activities for groups of adults (i.e. where each individual is aged 18 and over). This will usually be by means of an informal system agreed between the relevant Commissioner and the Assistant Regional Commissioner Scout Network (in respect of Scout Network), Regional Advisor (Scout Active Support) or other person recognised by the relevant Commissioner.

Chapter 10 Uniform, Badges and Emblems

Rule 10.17 Marching Bands

A dark blue Balmoral bonnet with the metal Arrowhead Badge is added to the list of additional optional items: the Balmoral should have short tails and a navy blue "toorie", but not a diced border.

Rule 10.26 Identifying Group, District and County Badges

In addition to the items listed, a Scottish emblem consisting of a St Andrew's Cross with the word "Scotland" below is authorised for wear on uniform by members in Scotland. It is worn at the top of the right shoulder, immediately below any Group name tape and above any District/ Region badge.

Chapter 12 Flags and Ceremonial

All references to 'County' or 'Counties' or 'Area' or 'Areas' in Chapter 12 should be replaced by 'District' or 'Districts' for Scotland.

Chapter 13

Trusteeship, Property and Equipment

Certain Rules in this Chapter do not apply without modification, in parts of the British Isles outside England and Wales.

Rule 13.1 Persons not allowed to act as Trustees

e. The Charities Acts apply to England and Wales only. The Charities and Trustee Investment (Scotland) Act 2005 applies to Scotland.

f. Certain people are disqualified from continuing as a trustee, or from becoming a trustee. They are people who:

- have been convicted at any time of any offence involving deception or dishonesty, unless the conviction is regarded as spent; or are undischarged bankrupts; or
- have made compositions with their creditors under the Insolvency Act 1986 which have not been discharged; or
- have at any time been removed by the Charity Commissioners or the Office of the Scottish Charity Regulator or by any court in the United Kingdom from being a trustee because of misconduct; or
- are disqualified from being company directors; or
- have failed to make payments under county court administration orders or similar in Scotland.

Rule 13.2 Property and Equipment

The Scout Association Trust Corporation does not operate in Scotland. In Scotland the following rules apply in regard to the ownership of property and equipment, effectively replacing Rule 13.2 (c) - (i).

Any **heritable property** which the Scottish Council, any Regional Scout Council, any District Scout Council or any Group may acquire by purchase, lease, gift or otherwise shall be vested in and the Title thereto shall be taken in the names of:

(a) in the case of the Scottish Council - the Chief Commissioner of Scotland, the Chair of the Scottish Board, the Honorary Treasurer and the Secretary or any three of them for the time and their successors in office as trustees for the Scottish Council, or

(b) in the case of a Regional Scout Council, District Scout Council or Group - the Regional Commissioner, the Regional Chair, the Regional Treasurer and the Regional Secretary or any three of them for the time and their successors in office as trustees for the benefit of the Regional Scout Council, District Scout Council or Group as the case may be.

Such trustees, or a majority of them, have power to sell in respect of the heritable property or any part thereof vested in them as aforesaid, and they have power to borrow on the security thereof for the benefit of the Regional Scout Council, District Scout Council or Group as the case may be..

All **moveable property** including cash and debts due to the Scottish Council, any Regional Scout Council, any District Scout Council or any Group, and claims of every description competent to them shall be held to be vested in the Scottish Council, the Regional Scout Council, the District Scout Council or the Group. Power to take any proceedings necessary to safeguard, recover, vindicate or pursue the same shall be vested in respectively:-

- (a) the Chief Commissioner of Scotland, the Chair of the Scottish Board, the Honorary Treasurer and the Secretary for the time or any two of them
- (b) the Regional Commissioner, the Regional Chair, the Regional Treasurer and the Regional Secretary for the time or any two of them
- (c) the District Commissioner, the District Chair, the District Treasurer and the District Secretary for the time or any two of them, or
- (d) the Group Scout Leader, the Group Chair, the Group Treasurer and the Group Secretary for the time or any two of them.

Any leases, except heritable leases as aforementioned, and other probative writings entered into by the Scottish Council (or the Scottish Board on its behalf), any Regional Scout Council, any District Scout Council or any Group shall be executed for and on their behalf by those listed in (a), (b), (c) and (d) above respectively.

Rule 13.9 Investments

a. For any given Group, District or Region, powers of investment are governed by the Charities and Trustee Investment (Scotland) Regulations 2006.

Rule 13.12 Safe Custody of Documents

Scottish Headquarters can arrange for the safe custody of Title Deeds, Leases, Deeds of Trust, Minutes of Agreement, Insurance Policies and other important documents.

Chapter 14

Other Matters

Rule 14.12 Compass Membership System (“Compass”)

b. Compass must contain accurate and up-to-date information on all adult Members and Associate Members of the Association as well as connected individuals such as Executive Committee Members, Casual Helpers and relevant parents/carers.

Chapter 15

Complaints, Suspensions and Dismissals

Rule 15.8(a) Termination of Youth Membership

Youth Membership may be terminated by:

in the case of Scout Network Members by leaving their District provision without joining another District;

Rule 15.9(a) Dismissal of Scout Network Members

No Scout Network Member may be dismissed without the approval of the District Scout Network Commissioner.

Rule 15.13 Appeals against the Dismissal of Scout Network Members

a. Any Scout Network Member who is dismissed has the right of appeal (with the aid of a ‘friend’ if so desired) to the District Commissioner.

b. If so requested by the person dismissed, the District Commissioner may appoint a committee to hear the appeal.

POR: The Appointment Process (also see table of Scottish Appointments)

1.3 Other Terms

Casual Helper

Parents and other casual helpers are not covered by the Appointment Process. Parents and other helpers offering regular assistance (monthly or more often) are required to undergo a PVG Scheme Membership check and must be appointed as

Section Assistants. For further information, refer to Scottish Variations to P.O.R. rules 3.26, 4.28 and 5.19.

3.2 Training Requirements for Appointments Advisory Committee Members

b) As the line manager, the Appointments Chair is responsible for ensuring that all members of the Appointments Advisory Committee have been validated for the required modules. The Appointments Chair, however, does not necessarily have to be the Training Adviser for the Appointments Advisory Committee members. The Appointments Chair should work closely with the Assistant Regional Commissioner (Adult Training) or Assistant District Commissioner (Adult Training) to co-ordinate the allocation of Training Advisers.

3.3 Duties of the Appointments Advisory Committee

a) vii. Maintaining links with Assistant Regional Commissioner (Adult Training) or Assistant District Commissioner (Adult Training) as appropriate.

4.1 Personal Enquiry

a) See Scottish Variations to POR Rules 3.26, 4.28 and 5.19.

4.4.1 Elected and Nominated Trustees, Presidents, Deputy Presidents and Vice Presidents

b) Chair, Treasurer and Secretary Appointments may not be held by Leaders, Managers or Supporters at the same level within the District/Region. See Scottish Variations to POR Annex A, 4(d) and (e) and Annex B, 4 (d) and (e).

m) Upon approval, the Appointments Secretary informs the Assistant District Commissioner (Adult Training)/ Assistant Regional Commissioner (Adult Training) that a Provisional Appointment had been issued.

4.4.2 Co-opted Trustees, Advisers, Assessors and Administrators

h) Training Advisers are appointed by the Assistant District Commissioner (Adult Training) to support and assess adults through their training up to the award of the Wood Badge.

i) The functions of the appointment are to:

- i. brief new adults about the training scheme;
- ii. create a 'Personal Learning Plan' with each adult;
- iii. validate modules as appropriate;
- iv. meet regularly with each adult to offer support and encouragement.

h) Upon approval, the Appointments Secretary informs the Assistant District Commissioner (Adult Training)/Assistant Regional Commissioner (Adult Training) that a provisional Appointment had been issued.

4.4.3 Scout Active Support Members, Chair, Treasurers and Secretaries

a) to d) Rules are deleted

e) Scout Active Support Managers, Co-ordinators and Members are appointed through the process given in section 4.4.4 ("All Other Appointments").

4.4.4 All Other Appointments

s) Upon approval, the Appointments Secretary will inform the Assistant District Commissioner (Adult Training)/Assistant Regional Commissioner (Adult Training) that a Provisional Appointment has been issued.

t) Discretion may be applied to the requirement for a meeting with the Appointments Advisory Committee for adults joining Scout Active Support who hold a valid adult appointment in the same District/ Region at the time of application.

Table of appointments

A separate table of appointments has been agreed for Scouts Scotland.

The appointment of District Youth Commissioner is not an adult role and will not feature in the Scottish variation

ANNEX A MODEL CONSTITUTION FOR A DISTRICT SCOUT COUNCIL

CONSTITUTION OF THEDISTRICT SCOUT COUNCIL

1. THE DISTRICT SCOUT COUNCIL

.....(insert District name) District Scout Council (hereinafter referred to as "the DSC") is responsible for overseeing and supporting Scouting in (describe area covered) within geographical boundaries agreed between the DSC and the (insert Region name) Regional Scout Council. It is an autonomous body, affiliated to The Scout Association, and its affairs are managed by the District Executive Committee.

2. PRESIDENT AND VICE PRESIDENTS

The DSC may appoint a President and one or more Vice Presidents from time to time and for such periods as it may decide.

3. MEMBERSHIP OF THE DISTRICT SCOUT COUNCIL

Membership of the DSC shall consist of:

- a) the President and Vice Presidents (if any)
- b) the District Chair, District Secretary and District Treasurer
- c) the District Commissioner and all other adult members and associate members of The Scout Association in the District, including other Commissioners, Leaders, Assistant Leaders, Section Assistants, Skills Instructors, Advisers and members of Scout Active Support Units and the Scout Network, including those holding provisional appointments
- d) all Explorer Scouts and those parents/guardians of Explorer Scouts in the District who have notified the District Secretary that they wish to be treated as members
- e) members of the District Executive Committee
- f) the Regional Chair and the Regional Commissioner, and
- g) any persons elected or re-elected annually by the DSC on the recommendation of the District Commissioner and the District Executive Committee.

4. MEETINGS OF THE DSC

The DSC shall hold an Annual General Meeting as soon as practicable after the end of each financial year, and in any event within eight months of the end of each financial year.

At each Annual General Meeting the business shall be:

- a) to approve minutes of the previous Annual General Meeting and any subsequent Extraordinary General Meeting
- b) to receive, to consider and, if thought fit, to adopt the Annual Report of the District Executive Committee, including annual accounts and associated financial statements
- c) (if appropriate) to elect or re-elect a District President and/or Vice Presidents
- d) to receive and, if thought fit, to approve the District Commissioner's nomination of the District Chair [who shall not be a person holding a District level Scouter appointment in that District]
- e) to elect a District Secretary and District Treasurer, [neither of whom shall be persons holding District level Scouter appointments in the District]
- f) to elect elected members of the District Executive Committee
- g) to receive and, if thought fit, to approve the District Commissioner's nominations of nominated members of the District Executive Committee
- h) to elect representatives to serve on the Regional Scout Council
- j) to elect a suitably qualified auditor or independent examiner, as appropriate
- k) to receive a report from the District Commissioner, and
- l) to transact any other business which was specified in the agenda for the meeting either at the request of the District Executive Committee or by requisition signed by five members of the DSC and lodged with the District Secretary at least eight weeks prior to the meeting.

An Extraordinary Meeting of the DSC shall be called by the District Secretary within sixty days at the request of the District Executive Committee, or of either the District Chair or the District Commissioner, or by requisition signed by ten members of the DSC. At Extraordinary Meetings, the business shall be limited to the purpose for which the meeting was called.

Notice of all meetings of the DSC, including a copy of the agenda, shall be issued to members of the DSC at least two weeks prior to the date of the meeting, either in paper form or electronically.

Such notice may be given by including it in a newsletter or other publication which is circulated throughout the District.

The President (if one has been appointed and if he or she is present and wishes to take the chair) shall preside at meetings of the DSC. Otherwise the District Chair shall preside or, in his or her absence, the meeting shall elect a chair from the members present.

5. DISTRICT EXECUTIVE COMMITTEE

The District Executive Committee shall be responsible to the DSC for managing the affairs of the DSC, for supporting the District Commissioner in meeting the responsibilities of his or her appointment and for providing support for Scout Groups, Explorer Scout Units and the Scout Network in the District. It shall be specifically responsible for:

- a) promoting Scouting in the District and arranging for harmonious cooperation with other organisations

- b) ensuring practical support for Scout Groups and other units in the District, particularly as regards the delivery of programme
- c) acting on matters relating to the District's finance and property
- d) appointing sub-committees and oversight of their operation
- e) supervising the administration of Groups, and the District Scout Active Support Unit, particularly in relation to finance and property matters
- f) attending to District administration, including matters relating to adult appointments, the appointment of a District Badge Secretary, registrations and membership of The Scout Association and the collection of membership subscriptions within the District
- g) complying with legislation applicable to Scottish charities
- h) approving an Annual Report, including annual accounts and associated financial statements, for submission to the Annual General Meeting of the DSC
- i) Acting as an Executive Committee for the Explorer Scout Units in the District and the District Scout Network.

The District Executive Committee may enact and from time to time alter such Bylaws as it may consider appropriate for the regulation of its procedures and the powers and procedures of its sub-committees, provided that any changes in the Bylaws shall be reported to the next Annual General Meeting of the DSC.

All ex officio, nominated, elected and co-opted members of the District Executive Committee shall serve as charity trustees for the DSC, and in that capacity they shall have the fullest powers to administer and manage the DSC's affairs in furtherance of its charitable purposes providing that the assets are to be applied solely for the purposes, management and administration of Scouting. In particular, but without limitation, the District Executive Committee shall have power, subject to appropriate disclosure in the next Annual Report,

(i) to lend and to borrow, (ii) to invest widely, (iii) to raise funds by levying a subscription on members of the Association in the District, (iv) to award grants, including grants to one or more of their number, (v) to engage one or more of their number or their relations, either directly or through an a connected company or firm, to provide on a commercial basis services which they are suitably qualified to provide, (vi) to grant honoraria, including honoraria to one or more of their number and (vii) to reimburse one or more of their number from the DSC's funds for all or part of any expenses reasonably incurred in the course of their duties.

6. MEMBERSHIP OF THE DISTRICT EXECUTIVE COMMITTEE

The District Executive Committee shall consist of:

Ex officio members: the District Chair, District Commissioner, District Secretary, District Treasurer, District Explorer Scout Commissioner and District Scout Network Commissioner

Elected members: not more than six members of the DSC elected annually at the District Annual General Meeting

Nominated members: persons nominated annually by the District Commissioner and whose nominations are approved at the District Annual General Meeting, and

Co-opted members: not more than six persons co-opted annually by the District Executive Committee provided that (a) at the time of their appointment, the number of nominated members must not exceed the number of elected members, (b) persons ineligible to be charity trustees may not serve on the Committee, (c) nominated members and co-opted members need not already be members of the DSC and (d) when considering the appointment of co-opted members, the Committee shall use its best endeavours, if necessary, to ensure that at least two members of the Committee are aged 18 years or over, but less than 25 years.

The Regional Chair and the Regional Commissioner shall have the right of attendance at meetings of the District Executive Committee.

The District Executive Committee may fill casual vacancies in their number by interim appointment until the next Annual General Meeting of the DSC.

7. SUB-COMMITTEES

The District Executive Committee shall appoint an Appointments Advisory Sub-Committee and such other sub-committees as it decides. The District Chair and District Commissioner shall be ex officio members of all sub-committees. The District Executive Committee shall appoint the chairs, secretaries and other members of all such sub-committees (who need not be members of the DSC), provided that the membership of any fund-raising sub-committee must include at least two members of the District Executive Committee (in addition to ex officio members).

The Appointments Advisory Sub-Committee shall be responsible to the District Executive Committee for carrying out the process of assessing the suitability of all adult applicants for appointments within the District and for associated matters, including applications for change of appointment, the periodic review of existing appointments and the cancellation of appointments, all in accordance with the Rules of The Scout Association as applicable in Scotland.

The District Executive Committee shall set the terms of reference of any other sub-committees.

8. CONDUCT OF MEETINGS

At meetings of the DSC, a quorum shall consist of such number of members present in person as the DSC shall by resolution have determined. However, if a meeting of the DSC is not quorate, it shall be rearranged for a date, time and place decided by the District Executive Committee and the rearranged meeting shall proceed whether or not a quorum is present. The quorum at meetings of the District Executive Committee and its sub-committees shall be prescribed in Bylaws.

Except as provided in clause 9 below, decisions at meetings of the DSC, the District Executive Committee and its sub-committees shall be determined by a simple majority of the votes cast in person by those entitled to vote. The chair of the meeting shall not have a casting vote and, in the event of an equal number of votes being cast for and against a proposal, it shall be declared that the proposal has not been carried.

9. ALTERATIONS TO CONSTITUTION

No alterations shall be made to this Constitution except by resolution of the DSC at a meeting of the DSC at which at least two thirds of the votes cast in person by those entitled to vote are in favour of the proposed change or changes. Particulars of the proposed change or changes must accompany the notice calling the meeting.

Annex B

MODEL CONSTITUTION FOR A REGIONAL SCOUT COUNCIL

CONSTITUTION OF THE REGIONAL SCOUT COUNCIL

1. THE REGIONAL SCOUT COUNCIL

..... (*insert Regional name*) Regional Scout Council (hereinafter referred to as "the RSC") is responsible for overseeing and supporting Scouting in the local authority areas of (*insert local authority names and describe any variations if the Region covers part of a local authority area*). It has a particular responsibility for supporting District Scout Councils in the Region in regard to development, recruitment, adult training and public relations. It is an autonomous body, affiliated to The Scout Association, and its affairs are managed by the Regional Executive Committee.

2. PRESIDENT AND VICE PRESIDENTS

The RSC may appoint a President and one or more Vice Presidents from time to time and for such periods as it may decide.

3. MEMBERSHIP OF THE REGIONAL SCOUT COUNCIL

Membership of the RSC shall consist of:

- a. the President and Vice Presidents (if any)
- b. the Regional Chair, Regional Secretary and Regional Treasurer
- c. the Regional Commissioner, Deputy and Assistant Regional Commissioners and Regional Advisers
- d. all District Commissioners, District Chairs and Group Scout Leaders in the Region, including those holding provisional appointments
- e. two named representatives of each District Scout Council in the Region
- g. the Chief Commissioner of Scotland and the Chair of the Board of Scouts Scotland, and
- h. any persons elected or re-elected annually by the RSC on the recommendation of the Regional Commissioner and the Regional Executive Committee.

4. MEETINGS OF THE RSC

The RSC shall hold an Annual General Meeting as soon as practicable after the end of each financial year, and in any event within eight months of the end of each financial year.

At each Annual General Meeting the business shall be:

- a. to approve minutes of the previous Annual General Meeting and any subsequent Extraordinary General Meeting
- b. to receive, to consider and, if thought fit, to adopt the Annual Report of the Regional Executive Committee, including annual accounts and associated financial statements
- c. (if appropriate) to elect or re-elect a Regional President and/or Vice Presidents
- d. to receive and, if thought fit, to approve the Regional Commissioner's nomination of the Regional Chair, who shall not be a Scouter holding a Regional appointment in that Region
- e. to elect a Regional Treasurer and (unless it is a remunerated post) a Regional Secretary, neither of whom shall be a Scouter holding a Regional appointment in that Region
- f. to elect elected members of the Regional Executive Committee
- g. to receive and, if thought fit, to approve the Regional Commissioner's nominations of nominated members of the Regional Executive Committee
- h. to elect a nominated member and a nominated youth representative to serve on the Council of The Scout Association
- j. to appoint a suitably qualified auditor or independent examiner, as appropriate
- k. to receive a report from the Regional Commissioner, and
- l. to transact any other business which was specified in the agenda for the meeting either at the request of the Regional Executive Committee or by requisition signed by five members of the RSC and lodged with the Regional Secretary at least eight weeks prior to the meeting.

An Extraordinary Meeting of the RSC shall be called by the Regional Secretary within sixty days at the request of the Regional Executive Committee, or either the Regional Chair or the Regional Commissioner, or by requisition signed by ten members of the RSC. At Extraordinary Meetings, the business shall be limited to the purpose for which the meeting was called.

Notice of all meetings of the RSC, including a copy of the agenda, shall be issued to members of the RSC at least two weeks prior to the date of the meeting, either in paper form or electronically. Such notice may be given by including it in a newsletter or other publication which is circulated throughout the Region.

The President (if one has been appointed and if he or she is present and wishes to take the chair) shall preside at meetings of the RSC. Otherwise, the Regional Chair shall preside and, in his or her absence, the meeting shall elect a chair from the members present.

5. REGIONAL EXECUTIVE COMMITTEE

The Regional Executive Committee shall be responsible to the RSC for managing the affairs of the RSC, for supporting the Regional Commissioner in meeting the responsibilities of his or her appointment and for providing support for Scout Districts, Groups, Explorer Scout Units and the Scout Network in the Region. It shall be specifically responsible for:

- a. promoting the development of Scouting in the Region and arranging for harmonious cooperation with other organisations
- b. acting on matters relating to the Region's finance and property
- c. appointing sub-committees and overseeing their operation
- d. appointing a Regional Secretary from time to time if it is a remunerated post, and for dealing with any staff matters
- e. supervising the administration of Districts, particularly in relation to finance and property matters
- f. attending to Regional administration, including matters relating to adult appointments, registrations and membership of The Scout Association
- g. complying with legislation applicable to Scottish charities
- h. approving an Annual Report, including annual accounts and associated financial statements, for submission to the Annual General Meeting of the RSC.

The Regional Executive Committee may enact and from time to time alter such Bylaws as it may consider appropriate for the regulation of its procedures and the powers and procedures of its sub-committees, provided that any changes in the Bylaws shall be reported to the next Annual General Meeting of the RSC.

All ex officio, nominated, elected and co-opted members of the Regional Executive Committee shall serve as charity trustees for the RSC, and in that capacity they shall have the fullest powers to administer and manage the RSC's affairs in furtherance of its charitable purposes provided that the RSC's assets are to be applied solely for the purposes, management and administration of Scouting. In particular, but without limitation, the Regional Executive Committee shall have power, subject to appropriate disclosure in the next Annual Report, (i) to lend and to borrow, (ii) to invest widely, (iii) to raise funds by levying a subscription on members of the Association in the Region, (iv) to award grants, including grants to one or more of their number, (v) to engage one or more of their number or their relations, either directly or through an a connected company or firm, to provide on a commercial basis services which they are suitably qualified to provide, (vi) to grant honoraria, including honoraria to one or more of their number and (vii) to reimburse one or more of their number from the RSC's funds for all or part of any expenses reasonably incurred in the course of their duties.

6. MEMBERSHIP OF THE REGIONAL EXECUTIVE COMMITTEE

The Regional Executive Committee shall consist of:

Ex officio members: the Regional Chair, Regional Commissioner, Regional Secretary and Regional Treasurer

Elected members: not more than six members of the RSC elected annually at the Regional Annual General Meeting

Nominated members: persons nominated annually by the Regional Commissioner and whose nominations are approved at the Regional Annual General Meeting, and

Co-opted members: not more than four persons co-opted annually by the Regional Executive Committee

provided that (a) at the time of their nomination, the number of nominated members must not exceed the number of elected members, (b) persons ineligible to be charity trustees may not serve on the Committee, (c) nominated members and co-opted members need not already be members of the RSC and (d) when considering the appointment of co-opted members, the Committee shall use its best endeavours, if necessary, to ensure that at least two members of the Committee are aged 18 years or over, but less than 25 years.

The Chief Commissioner of Scotland and the Chair of the Board of Scouts Scotland shall have the right of attendance at meetings of the Regional Executive Committee.

The Regional Executive Committee may fill casual vacancies in their number by interim appointment until the next Annual General Meeting of the RSC.

7. SUB-COMMITTEES

The Regional Executive Committee shall appoint an Appointments Advisory Sub-Committee and such other sub-committees as it decides. The Regional Executive Committee shall appoint the chairs, secretaries and members of all such sub-committees, who need not be members of the RSC or of the Regional Executive Committee. The Regional Chair and Regional Commissioner shall be ex officio members of all sub-committees.

The Appointments Advisory Sub-Committee shall be responsible to the Regional Executive Committee for carrying out the process of assessing the suitability of all adult applicants for Regional appointments, including District Commissioners, and for associated matters, including applications for change of appointment and the periodic review of existing appointments, all in accordance with the Rules of The Scout Association as applicable in Scotland.

The Regional Executive Committee shall set the terms of reference of any other sub-committees.

8. CONDUCT OF MEETINGS

At meetings of the RSC, a quorum shall consist of such number of members present in person as the RSC shall by resolution have determined. However, if a meeting of the RSC is not quorate, it shall be rearranged for a date, time and place decided by the Regional Executive Committee and the rearranged meeting shall proceed whether or not a quorum is present.

The quorum at meetings of the Regional Executive Committee and its sub-committees shall be prescribed in Bylaws.

If any member of the RSC, Regional Executive Committee or of any of its sub-committees holds a remunerated post in the Region, he or she shall not be entitled to vote at meetings.

Except in relation to proposed constitutional alterations, decisions at meetings of the RSC, the Regional Executive Committee and its sub-committees shall be determined by a simple majority of the votes cast in person by those entitled to vote. The chair of the meeting shall not have a casting vote and, in the event of an equal number of votes being cast for and against a proposal, it shall be declared that the proposal has not been carried.

9. ALTERATIONS TO CONSTITUTION

No alterations shall be made to this Constitution except by resolution of the RSC at a meeting of the RSC at which at least two thirds of the votes cast in person by those entitled to vote are in favour of the change or changes. Particulars of the proposed change or changes must accompany the notice calling the meeting