**3RD POOLE SEA SCOUTS**

**Registered Charity Number 900283**

**CONSTITUTION**

**Dated June 2021**

**1 GENERAL**

1.1 This document has been produced by the Executive Committee of 3rd Poole Sea Scout Group Council to clarify the management of, and the financial and administrative responsibilities of 3rd Poole Sea Scout Group (‘the Group’). This document should be read in conjunction with the Policy, Organisation & Rules (POR) of The Scout Association, which take precedence in all matters. Current POR, including amendments, can be found on the official Scout Association website: www.scouts.org.uk/por.

1.2 This document replaces all previous versions of 3rd Poole Sea Scout Group Constitution and defines the processes whereby members of the Group Council are elected to the Group Executive Committee. It also defines the conduct of meetings, decision making and actions of both the Group Council and the Group Executive Committee.

**2 GOVERNANCE AND COMPLIANCE**

2.1 The Group is governed and regulated by the current Policy, Organisation and Rules as published and as amended from time to time by The Scout Association in the UK. All such current Policy, Organisation and Rules will apply to the Group as appropriate and without variation. This includes the constitution of the Group and its legal and regulatory obligations and with particular respect to the Charities Act 2011.

2.2 The Group Scout Leader and the Group Chair are responsible for ensuring compliance to the Group, District, County and National Scout Association Policy, Organisation and Rules (POR).

**3 MANAGEMENT OF THE SCOUT GROUP**

3.1 The Group is an autonomous organisation holding its property and equipment and admitting young people to membership of the 3rd Poole Sea Scout Group.

3.2 The Group is a not-for-profit organisation and is a registered Educational Charity (Registered Charity Number 900283). The Group is not a Sponsored Group as defined in POR and is therefore not answerable to other bodies.

3.3 The Group is led by a Group Scout Leader and managed by the Group Executive Committee. They are accountable to the Group Council for the satisfactory running of the Group. The Group Scout Leader is assisted and supported by the Group Leadership Team and Group Supporters in the delivery of a balanced programme for young people within the Group.

**4 THE GROUP SCOUT COUNCIL**

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

4.2 Membership of the Group Scout Council is open to Scouters, Group Scout Active Support members (including the Group Scout Active Support Manager and Group Scout Active Support Co-ordinators – if appointed), Colony, Pack and Troop Assistants, Skills Instructors, Administrators, Advisers, Patrol Leaders, all parents of Beaver Scouts, Cub Scouts and Scouts, the sponsoring Authority or its nominee (if applicable), any other supporters including former Scouts and their parents who may be admitted by the Group Scout Leader, the Group Executive Committee or the Group Scout Council, Explorer Scout Leaders (if stated in a Partnership Agreement). The District Commissioner and District Chair are ex-officio members of the Group Scout Council.

4.3 Membership of the Group Scout Council ceases upon:

* the resignation of the member
* the dissolution of the Council
* the expiry of a period of an appointment; or
* the termination of membership by Headquarters following a recommendation by the Group Executive Committee

4.4 The Group Scout Council must hold an Annual General Meeting within six months of the financial year end (31st March) to:

* receive and consider the Annual Report of the Group Executive Committee, including the annual statement of accounts
* approve the Group Scout Leader’s nomination of the Group Chair and nominated members of the Group Executive Committee
* elect a Group Secretary and Group Treasurer who will serve without the need for re-election for three (3) years.
* elect certain members of the Group Executive Committee
* appoint an auditor or independent examiner or scrutineer as required

## Appointments and Elections

 The positions of Group Chairman, Group Secretary and Group Treasurer cannot be held by an appointed Scouter.

 Members of the Group Scout Council wishing to stand for election should make their intention known to the Group Scout Leader at least 14 days before the date of the meeting at which the election will take place. Only if no one has notified the Group Scout Leader in this way that they wish to stand for election to a particular position will people be allowed to put themselves forward at the meeting itself for that position.

**5 THE GROUP EXECUTIVE COMMITTEE**

5.1 The Group Executive Committee exists to support the Group Scout Leader in meeting the responsibilities of their appointment and ensures the effective administration of the Scout Group. The Group Scout Leader nominates the Chair and the relationship should be one of partnership and mutual support. The members of the Group Executive Committee are the Charity Trustees of the Group.

5.2 The Group Executive Committee shall meet not less than four times in each year, not including the Annual General Meeting

5.3 Members of the Group Executive Committee must act collectively as Charity Trustees of the Scout Group and in the interests of its members to:

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

**5.4** **Membership**

 The Group Executive Committee consists of:

5.4.1 **Ex-officio Members**

* + - The Group Chair
		- The Group Secretary
		- The Group Treasurer
		- The Group Scout Leader
		- The Assistant Group Scout Leader
		- The Explorer Scout Leader (if stated in a Partnership Agreement and subject to that Explorer Scout Leader expressly indicating to the AGM (in writing or orally at the meeting) that they are willing to perform such a function)
		- The Sponsoring Authority or its nominee
		- All Section Leaders (i.e. individuals holding a Beaver Scout Leader, Cub Scout Leader or Scout Leader role) subject to that Section Leader expressly indicating to the AGM (in writing or orally at the meeting) that they are willing to perform such a function.

5.4.2 **Elected Members**

* + - The Group Scout Council at its Annual General Meeting shall elect a number of no more than six (6) Elected Members to serve.

5.4.3 **Nominated Members**

* + - Up to six (6) other persons nominated by the Group Scout Leader.
		- The nominations must be approved at the Group Annual General Meeting.
		- The number of nominated members must not exceed the number of elected members.

5.4.4 **Co‐opted Members**

* + - The Group Executive Committee may co-opt further members either at the Annual General Meeting, or at any other time where there is a clear need and benefit, and that the co-opted member is approved by the Group Executive Committee.
		- The number of co-opted members must not exceed the number of elected members

5.5 Ideally, between the nominated members, elected members and co-opted members, the Group Executive Committee should include a parent of at least one member of each of the Sections in the Group.

**6 CHARITY TRUSTEES**

6.1 The Scout Group shall have a minimum of six (6) Trustees.

6.2 All ex-officio, elected, nominated and co-opted members of the Group Executive Committee are Charity Trustees of the Scout Group. Ex officio members will be asked at the Annual General Meeting to confirm if they wish to, and are able to, take on this responsibility. If not present at the meeting they will be asked to submit their decision in writing.

6.3 Only persons aged 18 and over may be full and voting members of the Executive Committee because of their status as Charity Trustees (however the views of young people in the Group must be taken into consideration).

6.4 Certain people are disqualified from being charity trustees by virtue of the Charities Acts. Charity trustees are responsible for complying with all the legislation applicable to charities.

6.5 No individual can hold more than one nominated, elected or co‐opted position on the Group Executive Committee. Appointments on the Group Executive Committee may be terminated by:

* + - The resignation of the holder;
		- The unanimous resolution of all other members of the Group Executive Committee;
		- The expiry of the period of the appointment;
		- Confirmation by Headquarters of the termination of the appointment in the event of the cancellation of the registration of the Group.

6.6 Before becoming members of the Group Executive Committee, prospective members must be made aware of the qualifications for becoming and the responsibilities of being a charity trustee.

1. **THE GROUP LEADERS’ MEETING**

7.1 Membership of the Group Leaders’ Meeting consists of the Group Scout Leader as Chair, all Section Leaders, Assistant Leaders. Explorer Scout Leaders may be included if stated in the Partnership Agreement.

7.2 The role of the Group Leaders; Meeting is to:

* consider the well-being and development of each member of the Group;
* ensure the progress of each member through the programme
* plan and co-ordinate all the Group’s activities;
* to keep the Group Executive Committee advised of the financial and other resource requirements of the training programme

7.3 Group Leaders shall meet not less than two times in each year, not including the Annual General Meeting.

**8 SUB COMMITTEES**

8.1 Sub-committees consist of members nominated by the Group Executive Committee.

8.2 The Group Scout Leader and the Group Chair will be ex-officio members of any sub-Committee of the Group Executive Committee and have the right of attendance at meetings of the sub-committees.

8.3 Any fundraising committee must include at least two members of the Group Executive Committee. No Section Leader or Assistant Leader may serve on such a fundraising sub-committee.

**9 CONDUCT OF MEETINGS / MEETINGS OF THE GROUP**

9.1 The Group Chair shall be the Chair of the Group Executive Committee. If the Chair is not present within fifteen minutes after the time appointed for the meeting, the members present shall choose one of their number to take the chair.

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

9.3 Only members as defined above, aged 18 years and over, may vote in meetings of the Group Scout Council and the Group Executive Committee.

9.4 The quorum for meetings of the Group Council shall be ten (10), which must include the Group Scout Leader or Group Chair plus two (2) other members of the Group Executive Committee.

9.5 The quorum for meetings of the Group Executive Committee is six (6).

9.6 Decisions are made by a majority of votes cast by those present and voting 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.

* 1. Voting by proxy shall not be permitted.
	2. Electronic voting (such as email) is allowed for decision making of the Group Executive Committee when deemed appropriate by the Chair. In such instances at least 75% of its committee members must approve the decision.
	3. The Group Executive Committee can meet by telephone conference, video conference as well as face to face in order to discharge their responsibilities when agreed by the appropriate Chair.
	4. Meetings of the Group Council may be conducted via any electronic means deemed suitable by the Group Executive Committee, such as but not limited to, video conferencing or other online conferencing facility as well as face to face.
	5. Group Leaders’ and any Group sub-committees can meet by telephone conference, video conference as well as face to face.
1. **NOTICE OF MEETINGS OF THE GROUP**

10.1 At least twenty-one (21) days’ clear notice shall be given of every Annual General Meeting, specifying the place, day and time of the meeting together with an agenda. Such notice shall be posted on the Group’s website and noticeboards and emailed to leaders, parents, and Group Executive members.

10.2 The accidental omission to give notice of a meeting to any member entitled to receive such notice shall not invalidate anything done at such meeting.

10.3 If members wish to propose additional items for the agenda then these must be received in writing by the Hon Secretary at least fourteen (14) days prior to the AGM.

10.4 Nominations for Elected Members of the Group Executive Committee shall be made on a form provided for that purpose and shall be signed by the proposer and seconder, and countersigned by the nominee, all of whom shall be aged 18 years or over. All such nominations shall be received by the Secretary five (5) days prior to the AGM at which the election is to take place. The Group Executive Committee will accept nominations by email to the Secretary by the due date, providing the proposer, seconder and nominee all send independent emails to the Secretary.

**11** **GENERAL MEETINGS**

11.1 If the Group Executive Committee consider it is necessary to change the constitution, or wind up The Group, they must call a General Meeting so that the Group Executive can discuss matters and take the necessary actions on the decisions to do so.

11.2 The Secretary must call a General Meeting if they receive a written request from not less than twenty (20)members. All members of the Group Executive Committee must be given notice of not less than fourteen (14) days and be told the reason for the meeting. All decisions require a two thirds majority of those present and voting. Minutes must be kept.

1. **MONEY, PROPERTY AND EQUIPMENT**

	1. Money, property and equipment must only be used for the charity’s purposes unless defined otherwise in a memorandum of association and agreed by the Group Executive Committee.
	2. The Group Executive Committee must ensure that proper financial planning and budgetary control is operated within the Group, that proper accounts are kept, and are fully compliant with The Scout Association Policy, Organisation and Rules, and comply with the Charities Act 2011 and all other relevant legislation.
	3. The Accounts shall be audited or independently examined in accordance with current legislation relating to charities.
	4. Trustees, organisations, and any other person cannot receive any money, property or equipment from the Group, except:

• Where it is to refund reasonable out of pocket expenses;

• Where it has been agreed and voted on by the Executive Committee that a donation can be made to an individual, but only where it will wholly and exclusively assist with funding activities aligned with the fundamental purpose, methods, values and outcomes of The Group, and that such individuals are active members of The Group.

* Where in all other cases it is otherwise agreed with by all Trustees, and unanimously supported by The Group Executive, and fully documented with notes in The Annual Accounts where applicable to do so.
1. **PROPERTY AND LAND**In accordance with the Deed of Appointment dated 18th July 1990, The Scout Association Trust Corporation (SATC) as Custodian Trustee shall hold the title and Trust Deed dated 19th October 1988 for the property (Edith Lyle Hall, West Quay Road, Poole) or any other property owned by The Group.

**14 AFFILIATION & REGISTRATION**The Group may affiliate to, register with, be an associate of, or be a corporate member of any bone fide charitable organisation, and/or organisations, which will assist The Group to deliver a balanced programme for young people within The Group.

**15 DISSOLUTION OF THE GROUP**In the event of winding up The Group:

• all actions and activities must involve the District Commissioner and District Chair and be in accordance with The Scout Association Policy Organisation and Rules;

• any money, property or equipment remaining after payment of debts will become the money, property or equipment of Poole District Scouts.

* the disposal of the property (Edith Lyle Hall, West Quay Road, Poole) shall be in accordance with Clause 4 of the Trust Deed dated 19th October 1988.

**16 ALTERATION TO THE CONSTITUTION**

16.1 Amendments to the Constitution can be made at any time. Such amendments must be passed by a resolution at a meeting of the Group Council duly convened for that purpose. The amendments must be carried by two-thirds of members present and voting thereon.

16.2 No amendment shall be made to the Constitution that would cause The Group to cease to possess charitable status.

**DECLARATION**

3rd Poole Sea Scout Group hereby adopts and accepts this Constitution as the current operating guide and regulating the actions of its members.

Signed: Signed:

Name: Anthony DAKIN Name: Mark HOCKEY

Date: Date:

Position: Group Scout Leader Position: Group Chair