

Key points from meeting with the Board and Professional Staff

Larch Hill, Sunday 3rd February 2019

Introduction

This meeting was attended by County Commissioners, Provincial Commissioners, Honorary Vice Presidents, NMC members and Professional Staff members. These are a really important form of direct communication between the Board and its front-line managers who are charged with supporting the Groups at County and Provincial level. The attendees were informed that the Board intends to develop this communication stream and seek the assistance of attendees for various project groups or working groups as time goes by.

Safeguarding

Safeguarding Manager:

An update was provided to attendees at the positive response to the Safeguarding Manager competition. 11 applications received, with 5 candidates now through to next stage in recruitment process. It is hoped that the recruitment process will be completed early March with the successful candidate starting as immediately as possible thereafter. The safeguarding Manager will be an employee of Scouting Ireland rather than a consultant.

Updated Numbers provided to attendees regarding the Historic Child Sex Abuse review:

Total Alleged Victims within all files held plus reported via Helpline	354
Total Alleged Perpetrators within all files held plus reported via Helpline	242
Individuals reporting abuse from 21 st November to date (Helpline)	174
Alleged Perpetrators via Helpline alone	131
Alleged Perpetrators with multiple Alleged Victims	40

It was noted to the attendees that, as of at the time of the meeting, no cases from the historic review relate to years after 1998. No new cases discovered in relation to Scouting Ireland, since it's foundation on the merging of its two foundation organisations. The meeting was advised that we have been reporting to statutory authorities since long before that became mandatory.

**Scouting Ireland
National Office
Larch Hill
Dublin 16**

T +353 (0)1 495 6300

F +353 (0)1 495 6301

questions@scouts.ie



Relationship with Minister

The Chairperson relayed to the meeting that he had met the Minister, Ms Zapone TD, with her team of senior staff on Monday 28th January, along with Ms Annette Byrne of the NMC. The purpose of the meeting was to update the Minister on the receipt, by the NMC, of the Independent Barrister Report, the current figures relating to the Historic Case Review and the progress made by Scouting Ireland since the Board's last meeting with the Minister and appearance at the Joint Oireachtas Committee hearing. The Chairperson informed the meeting that this was quite a positive meeting, with the Minister referring to the future of Scouting Ireland in a positive manner. The meeting was informed that a spirit of cooperation between Scouting Ireland and the DCYA has evolved and that we are working together for the future of the organisation.

Strategic Approach to Finance

Scouting Ireland has two major funding streams, membership fees and the youth grant from the DCYA. The Board are looking at alternative funding streams with the view that we no longer are reliant on such a narrow range of sources. It is the intention of this Board not to restrict further expansion of the organisation, as this expansion is due to Groups on the ground, in every community across the island, providing sought-after programme and experiences for young people. However, we need to look at how we fund that expansion, and a reliance on state funding, which may be removed for a myriad of reasons in the future that may have nothing to do with Scouting Ireland, such as financial crisis, political change, etc. is an unhealthy reliance.

The Board informed the group that it is open to options or suggestions and would welcome any that the attendees may wish to share.

Solidarity Fund

The Solidarity fund is a vital element to the survival of Scouting Ireland. This fund is to provide direct support to the victims and survivors of the Historic Child Sex Abuse scandal that has rocked our organisation to the core. This would be done by way of a tailored, individualised Victim Support Programme (VSP). Scouting Ireland does not have the funds to provide such a support programme at the moment and must raise cash in order to fund it.

The meeting was informed that the State, in the Republic, has already informed the Chairperson in no uncertain terms that there would be no funding made available to Scouting Ireland in order to support victims. This is something we must do ourselves in response to the tragic assaults on our young members between the years, at the time of writing this update, 1942 – 1998.

To do this we will be looking to each Group across the 32 counties to pay a contribution to this fund. At the last CC/PC meeting, it was suggested that a flat charge would be applied to every group. However, the Board is cognizant that not every group is the same size and instead are looking at a charge based on the membership levels in each Group. The Board sought volunteers from the attendees to join a Project Team

Reg. No. 397094
Charity No. CHY3507

PATRON Michael D. Higgins PRESIDENT OF IRELAND



Member of World Organisation of the Scout Movement

Directors: A list of names and personal details of every director of the company is available for inspection to the public at the company's registered office for a nominal fee. Scouting Ireland is a company limited by guarantee exempt from using the word "limited". Registered Office: Scouting Ireland National Office, Larch Hill, Dublin 16

Scouting Ireland
National Office
Larch Hill
Dublin 16

T +353 (0)1 495 6300

F +353 (0)1 495 6301

questions@scouts.ie



to define the contribution and how it is to be communicated to the Groups. We have a number of individuals who thankfully have put themselves forward.

The question of why the members of today should pay for the sins of the past was discussed. This is a very fair question, and the answer is no less so. Simply, this is the right thing to do as an organisation to support fellow members who were subjected to abuse by those that were entrusted with their care. Furthermore, should we not seek to support our victims by way of a VSP, we would be pushing them to having to resort to legal action for each and every case. This would prove so costly that the company would quickly become insolvent and the organisation would fall. In order to protect Scouting Ireland **for** the current membership, we must act now to manage the crisis in a timely and caring manner, if for no other reason but to ensure it survives and continues to provide Scouting across the 32 counties into the future.

There will be further communication on this matter once the Project Team has the opportunity to commence its work.

Independent Barrister Report

The Chairperson addressed two fundamental questions in this segment of the meeting:

- Why is the NMC still here?
- Why are they considering the Report and not the Board?

In relation to the first matter, the meeting was reminded of the decision at the EGM of the 6th October 2018 to remove motions 4 and 5 so that a slimmed down NMC (6 members) could remain in order to wind down the unincorporated Association correctly and legally. This was based on legal advice, as set out by the NMC to National Council at the EGM. To this end, the Board assigned a firm of Solicitors, AMOSS Solicitors, to assist the NMC discharge its duties and this is progressing in a timely fashion, with the aim to be complete in early Q2.

It was also important that it remained in existence as it was the commissioning body of the Independent Barrister Report and should it have ceased to exist; this important report could have fallen.

There has been some speculation as to the probity of the NMC being the body to consider the Independent Barrister Report. Much has been made regarding the Board minutes of January 2018, where the term "Board" is used in relation to the commissioning of the Report. However, at that time, the Board and NMC were one and the same. But regardless of that fact, there is a much simpler reason as to why the NMC are the body to consider the Report. The Terms of Reference for the Report itself name exclusively the NMC as the commissioners. The Report is addressed to the NMC. The parties to the Report accepted the Terms of Reference. Therefore, it is correct and right that the NMC are the correct body to receive the Report and determine what happens next.

It was also made clear at the meeting that the NMC are not, in any way, operating without the support of the Board. The NMC has a finite length of time left in existence and the two pieces of work that fall to them to complete their mission, as set out above, are being so done with the cooperation of the current

Reg. No. 397094
Charity No. CHY3507

PATRON Michael D. Higgins PRESIDENT OF IRELAND



Member of World Organisation of the Scout Movement

Directors: A list of names and personal details of every director of the company is available for inspection to the public at the company's registered office for a nominal fee. Scouting Ireland is a company limited by guarantee exempt from using the word "limited". Registered Office: Scouting Ireland National Office, Larch Hill, Dublin 16

**Scouting Ireland
National Office
Larch Hill
Dublin 16**

**T +353 (0)1 495 6300
F +353 (0)1 495 6301
questions@scouts.ie**



Board, and the latter is satisfied that the NMC is operating as per its reduced mandate and correctly on both counts.

Insurance

This matter was discussed at length and the history of where we are at today was explained by a member of the Board.

There are a number of key points to be regarded from this section of the meeting. The first is that the normal insurance key to the operation of the organisation, but especially the individual Groups, are in place up until the end of April 2019. The reason for this date was explained, as the insurers are awaiting the decision of the Minister, in the Republic, as to whether or not we have our normal annual youth grant restored. Referring back to the meeting with the Minister and also contact with her senior staff at the Department, the Board is confident that we are currently meeting the expectations placed upon us and will form a report to the Minister in March 2019. Matters such as creating the Solidarity Fund and implementing a progressive Victim Support Programme are key items that the department wish to see progressing, along with other milestones, such as a new Safeguarding Manager and other metrics.

The Board is confident regarding what needs to be achieved in terms of securing our funding from the Department of Children and Youth Affairs, which will in turn progress matters with our insurers, Allianz.

Members of the Board, Professional Staff and our retained insurance brokers, Marsh, have met with and communicated on a number of occasions with Allianz in negotiating a way forward. Alternative insurers have also been considered.

The Directors and Officers policy was discussed. The D&O policy covers Board Members, the remaining NMC members and senior Professional Staff. There is also a separate D&O policy for Trustees in the Groups based in Northern Ireland. This is in place until the 30th April. Allianz have imposed two exemptions for each of the D&O policies. The first one relates to not covering allegations of child molestation against those covered by the policy, and the other in relation to not providing cover for incorrect actions or decisions in relation to managing Safeguarding cases and procedures.

The first exemption would already exist in any case, despite it being made explicit by Allianz.. The second one only applies to the Board, NMC and senior Professional Staff as they are the only people who could be involved in the management of safeguarding procedures. This does not impact on Trustees in the groups in Northern Ireland, or elsewhere on the island for that matter, as the management of Safeguarding procedures does not fall in their remit. Instead, their remit, like all scouters across the island, is to report, and report only, any Safeguarding concerns to the Safeguarding Team.

The Professional Indemnity policy was also discussed, noting the same exclusions and policy end dates apply as the Directors and Officers policy.

In any case, the Board moved recently to have the company provide cover to those impacted by the exemptions so as to ensure the important work continues at senior level.

Reg. No. 397094
Charity No. CHY3507

PATRON Michael D. Higgins PRESIDENT OF IRELAND



Member of World Organisation of the Scout Movement

Directors: A list of names and personal details of every director of the company is available for inspection to the public at the company's registered office for a nominal fee. Scouting Ireland is a company limited by guarantee exempt from using the word "limited". Registered Office: Scouting Ireland National Office, Larch Hill, Dublin 16

Scouting Ireland
National Office
Larch Hill
Dublin 16

T +353 (0)1 495 6300
F +353 (0)1 495 6301
questions@scouts.ie



Online Commentary

The Chairperson spoke on this and the worsening situation online whereby scouters are openly displaying behaviour towards one another that could not, under any circumstances, be considered scout-like or the behaviour expected of fit and proper people of an organisation charged with the well-being and development of young people. Sensitive company documents, such as insurance documents, were being openly displayed in public, in open forum at a time when the Board were attempting to negotiate with the insurers. Individual members of the organisation continue to be attacked, slandered and ridiculed.

It was noted, however, that these are the actions of the very few, and the vast majority of decent scouters have no regard for the behaviour displayed by certain individuals on particular online platforms.

It was also made clear that these platforms are not managed or sanctioned by Scouting Ireland, however the sad fact remains that members of the public with access to these platforms cannot make that distinction. Youth members are watching their adult scouters displaying quite negative behaviour towards each other. Role models, these are not.

The Chairperson reminded the meeting that this issue was raised before and the point had been previously made that should things continue, as they have done, that the Board may have to deal with it formally. Complaints have been received in that regard and the Disciplinary Officer has received a number of reports from designated officers, as provided for in the Disciplinary Procedure of Scouting Ireland.

Question & Answers

The meeting then moved to open questions on other matters.

1. With regards to the number of alleged perpetrators reported to Scouting Ireland - How many referrals have been made to the authorities in Northern Ireland?

To date 7 referrals have been made to the PSNI

2. What is the status of the recruitment process for and start date of Safeguarding Manager?

The closing date for applications was the 31st of December 2018 and 11 applications were received.

Shortlisting has taken place and interviews will take place over the coming weeks. We expect that the new safeguarding manager will start in April 2019, but this will depend on the personal an/or employment notice circumstances of the preferred candidate.

Reg. No. 397094
Charity No. CHY3507

PATRON Michael D. Higgins PRESIDENT OF IRELAND



Member of World Organisation of the Scout Movement

Directors: A list of names and personal details of every director of the company is available for inspection to the public at the company's registered office for a nominal fee. Scouting Ireland is a company limited by guarantee exempt from using the word "limited". Registered Office: Scouting Ireland National Office, Larch Hill, Dublin 16

3. When will the rest of the full safeguarding team be in place?

James O'Toole currently working on setting up this department. He needs to arrange a meeting with CEO and Ian Elliott in order to progress this – this will hopefully take place before the end of the month, after which we will be further able to update the membership.

Ideally, the recruitment of the full safeguarding team will involve the new Safeguarding Manager and it is therefore likely that recruitment will be completed after the Safeguarding Manger is in situ.

4. Has Scouting Ireland received any information on any cases since 1998 as part of the historic case review?

No all information received via the helpline refer to incidents and allegations in the period 1942 to 1998.

5. How many cases have been sent to the Gardai?

All cases reported via the helpline have been reported to the Gardai or PSNI as appropriate.

6. With regards to the board developing a strategic approach to finance and the development of a plan for same, why haven't Scouting Ireland taken this approach in the past?

It is not true to say that the previous board(s) did not take a strategic approach to finance. The FCO and National Treasurer have, over the last few years worked on several initiatives to balance the accounts annually. Measures such as increasing membership fees and revamping the 12 Days of Christmas draw have been part of this approach. The new board and its approach to finance is building on these initiatives.

7. Does the insurance policies of the legacy organisations cover abuse in the legacy organisations?

All aspects of the insurance policies which existed at the time of the abuse are being examined with the view of being able to use them to help with the situation we find ourselves in.

This is the case in both Northern Ireland and the Republic.

We have reasonable documentation and records for CBSI/CSI but have only limited information for SAI. Any member who may have information with regards to historic insurance are requested to make it available to National Office.

8. Under the [Charities Act in NI], trustees are responsible for the monies they raise and the purpose for which it was raised. Any group contribution to the solidarity fund will need to be compliant with [Charities Act] and the Charity Commission for NI. Have the board met with the CCNI to ensure that proposals for the solidarity fund are compliant with charity regulations and law?

The board will clarify the position with the CCNI and feedback to the Groups.

9. Why no meat on some of the financial strategy?

The Board of Directors would ideally have liked to have spent more time to date in the planning and development of a strategic financial plan. However, with the crisis which we were faced with days into taking our positions, this has been impossible.

It is proposed that to flesh out the approach to finance over the coming weeks with the help of volunteers to a small working group. Any fresh ideas that members may have in relation to raising additional funding would be welcome.

10. With regards to the proposed solidarity fund, can the board address concerns about all funding raised by groups is to support local scouting?

Unfortunately in the space we find ourselves in today, it would be morally and ethically correct as Scouters to help with the VSP. The abuse happened throughout the island and in many of our local areas. Essentially our funds are still being used in our localities but not necessarily for our local scouts in this instance. However, they are helping past scouts from our local areas. Coming to sensible financial arrangements with victims will also help protect the organisation, both nationally and locally.

11. Many groups who own dens have built up a contingency funds for emergency repairs etc. Will the solidarity fund be based on scout group balance sheets and if so, will account be taken of the

requirement to maintain funds for unforeseen emergency building repairs?

The current proposals for the solidarity fund involves a group contribution based on the number of members in the group. It is not proposed that those groups with funds on their balance sheet will be required to make additional contributions based on the strength of their balance sheet.

12. Will the Solidarity fund Group contribution be “once off” or will it become an annual charge?

The board (which is made up of group scouters) is very aware of the situation in Groups. The overall funding requirements of the Solidarity fund will be worked out over the coming months. It is unlikely that the initial contribution will be enough to sustain the fund in the future. The board proposes to set up a working group to review the requirements for overall funding requirements of Scouting Ireland over the next 3 to 5 years.

The initial contribution will effectively be seed capital for the fund – future funding may come from other sources and this will be a primary focus for the working group. It is difficult to approach external funders without having first raised funding internally. The Board will make every effort to source additional funding, where possible, to sustain the organisation into the future.

13. How much will the group contribution be?

The quantum of the contribution will be considered by the sub committee which was established at the meeting of 3rd February last. We have looked at figures and a letter will go out via the provinces and counties in the next week or two outlining a figure for the contribution

14. Are staff costs included in the Solidarity Fund? Should the fund be ringfenced to support the victims?

We need an augmented safeguarding team and this will form part of the VSP. At present we do not have the finances to employ staff for the safeguarding team and so the only way in which we can get around this at present will be to use some of the contributions towards new staff on the team. In saying that, other avenues of revenue will be looked into and we will be lobbying the minister in this regard

15. What are the timeframes for the handing of the barrister's report?

At present the full report has been received by the NMC. A subcommittee of the NMC and the Board is being established to work on the report. The board understands that the report will be considered over the coming weeks.

16. Many members feel that there is disregard for the wishes of members as NMC were to go 31/10/2018. Why are the NMC still in situ?

The NMC are required for the windup of the association. For legal reasons, this is taking longer than expected. Unfortunately this is out of our control and are working with legal teams in relation to the windup

17. LL – As soon as possible

Again the NMC are in receipt of the full report and am sure that they would like the outcome of this to be completed as soon as possible for everyone's sake

18. Do we have Plan B – if we can't renew insurance/funding after April?

We have every faith that insurance will continue after April and that our members will be able to continue on with their scouting activities as they have done in the past. However, if funding is not restored, this will pose a bigger problem. We are positive in relation to the meetings we have had with the Minister and her senior staff and are confident that this will not be the case.

19. Will cost of insurance go up again?

Unfortunately we are not in a position to give a definitive answer on that. Realistically, when a claim is made on insurance it is natural for the tariff to go up in the next year, so we are not kidding ourselves here, but do not know for definite at present.

It should be noted that the increase in cost of our public liability insurance (in the order of an annual increase of €75,000) are due to general insurance inflation and is not due to the recent crisis.

20. If it turns out that we do not have the confidence of Government – will insurers give cover?

We are not at the stage where the Government have no confidence in us. In fact, we would say that we are far from the Government having no confidence in us. Our meetings to date have been positive and the Minister can see that we are making inroads into her expectations. This can only be seen in a positive step towards full restoration of funding. In regards, to whether or not our insurers would still cover us, if we were to lose the confidence of the Government – we would not be in a position to answer that. We do not think it would be the case of the insurers not insuring us, so much as the tariff they would be looking us to pay

21. We need to restore public confidence as well as the confidence of the Government. What is the board doing to restore public confidence in Scouting Ireland?

To this end we need everyone working together for the good of Scouting Ireland. We need good news stories out there in the public domain of what is happening day and daily in our troop, pack, colony meetings. To be honest we are as frustrated as the members in some of the press we have had of late. To this end, the keyboard warriors on social media are not helping us as well. We would ask that Scouters think to their promise and law before posting and to remember we are all trying to give of our best at this very difficult time

We are undertaking a review of our communications strategy at our next Board meeting on 16th February next. Following this review we aim to roll out a revised Communications Strategy over the following weeks.

22. What should CC's do to deal with online commentary?

It is important for every Scouter to take responsibility for their own actions; however, if a CC sees that a Scouter in their County is creating posts which are contrary to our law and promise then there is the opportunity to report these Scouters to the DO

The exact process will be clarified.

23. Is the CEO Contract

For employment law reasons, we cannot comment on the employment contract of the CEO at this time. We will update the membership as soon as we can.

24. Can functionality be added to the database to trigger a reminder email for refreshers training?

The operations manager is working with our systems supplier to implement this functionality. We will update the membership on progress.

25. There is a perception is the refresher training is 'nice to do'. When will the refresher training be compulsory and policy?

Safeguarding refresher will be compulsory, and it is the aim of the Board to have this communicated very clearly to all members – this will not be an opt in, but a compulsory requirement for continual leadership within our organisation.

The board is engaging with the training commissioner in order to understand the position with regards training capacity and a compulsory compliance date will be set. Once this date has passed any adults who have not attended the training will be suspended (without prejudice) until they have completed the training.

Our policies will be updated to reflect the compulsory requirement for refresher training.

26. Can we get clarity on the budget for trainers?

The training budget has been approved and will be provided to the Training Commissioner this week.

27. Can anything be done about the slow updating of MMS with regards to the safeguarding refresher training?

The board will consult with the operations manager and explore what is involved in providing such reports. The board will update the membership once the situation is clear.

28. Can access to the training status and vetting reports be provided at Commissioner and Trainer levels at county and province level to assist monitoring of vetting and safeguarding training at county and provincial level?

The board will consult with the operations manager and explore what is involved in providing such reports. The board will update the membership once the situation is clear.

29. Can an adult scouter register as a member of scouting Ireland if they are not vetted or trained?

Scouters can be entered into the database but will show up as pending until such times as the vetting is complete and the safeguarding training is completed

30. Have the board considered co-opting a suitably qualified and experienced finance person to become a member of the board?

We are aware that we can, under the constitution, co-opt members onto the board and propose to co-opt up to three additional directors to the board. We propose to do this at the first board meeting following the AGM. A co-opted director with financial expertise and experience is a key requirement.

31. Could the board consider running a commissioner's conference – these have been useful in the past and could assist with transition and communications?

This is something the board is open to and will consider how this could be implemented

32. Could more notice of Commissioners meetings be provided?

The board will, if circumstances and situations allow, provide more notice of meetings. Sometimes, circumstances are such that this is not possible. Where possible we will.