

**DRAFT MINUTES OF THE MEETING OF THE  
NATIONAL COUNCIL  
OF SCOUTING IRELAND**

**Venue: RDS Concert Hall, Dublin**

**Date: 8<sup>th</sup> April, 2017**

**Meeting Reference Number: NC 17001**

**A. PRESENT:**

- (1) Christy McCann – Chief Scout
- (2) Ollie Kehoe – National Secretary
- (3) David Shalloo – Chief Commissioner (Youth Programme)
- (4) Annette Byrne – National Treasurer
- (5) Pat O’Sulleabhain – Chairperson (National Spiritual/Religious Advisory Panel)
- (6) All other attendees as listed in the Attendances Register

**B. IN ATTENDANCE**

- (1) John Lawlor – Chief Executive Officer

**C. APOLOGIES**

- (1) Therese Bermingham – Chief Commissioner (Adult Resources)

<b>MATTERS DISCUSSED</b>	<b>ACTION POINT / FOLLOW UP</b>
<b>1. Opening</b>	
<p>The National Council was called to order by the National Secretary.</p> <p>The opening thought and renewal of the Scout Promise was delivered by the Pat O’Sulleabhain – Chairperson (National Spiritual/Religious Advisory Panel)</p> <p>The National Council was addressed by:</p> <ul style="list-style-type: none"><li>• The Chief Scout – Christy McCann</li><li>• Máire Fitzgerald – Youth Advisor the World Scout Committee</li><li>• John Farrelly – CEO, Charities Regulatory Authority</li><li>• Address by Guest Speaker</li></ul>	
<b>2. Apologies</b>	
<p>Noted in the attendance register</p>	
<b>3. Meeting Procedures and Appointment of Tellers</b>	
<p>The National Secretary, Ollie Kehoe addressed National Council and outlined the housekeeping details and meeting procedures.</p> <p>The following tellers were nominated and approved by the National Council:</p> <p><b>Chief Tellers</b></p> <p>Mark O’Callaghan</p>	

<p>Bill James Brendan McNicholas Niall Walsh Mick Devins</p> <p>Michael Livingstone Lauren McCole Eva Moylan Eoin Kelly Gelu Crisan Eoghan Ryan Allanagh Conway Emily Sheridan-O'Shea Orlagh Allen Daria Veccio</p> <p>Caitriona Hosford Orla Doyle Maureen Kenny Cian Brady Bairbre Pigot-Glynn Shane Cahill Sarah Dixon Aisling McGarry Cian Whelan Ferdia Comerford</p>	
<b>4. Standing Orders</b>	
<p>The National Council resolved to adopt the proposed standing orders:</p> <ul style="list-style-type: none"> <li>• NC2017-02-07 - National Council AGM 2017 Proposed Standing Orders</li> </ul>	
<b>5. Minutes</b>	
<p>The National Council resolved that the following minutes were approved:</p> <ul style="list-style-type: none"> <li>• NC2017-01-03 - Draft Minutes of the AGM of the National Council 2016</li> </ul>	
<b>6. Matters arising</b>	
<p>The National Council noted:</p> <ul style="list-style-type: none"> <li>• Report on the Review of ONE Programme</li> <li>• Update on the Scouting Ireland Uniform Review</li> </ul>	
<b>7. Annual Report</b>	
<p>The National Council resolved to adopt the Annual Report:</p> <ul style="list-style-type: none"> <li>• NC2017-01-02 - Annual Report 2016</li> </ul>	
<b>8. Audited Accounts and Financial Report of Scouting Ireland</b>	
<p>The National Treasurer, Annette Byrne and the Financial Controller presented the Financial Report of Scouting Ireland.</p> <p>The National Council resolved to adopt the Audited Accounts:</p> <ul style="list-style-type: none"> <li>• NC2017-01-11 - Audited Accounts of Scouting Ireland Services CLG</li> </ul>	
<b>9. Matters arising from the Financial Report</b>	
<p>Following a request from Sean Scanlon, (5<sup>th</sup> Carlow), the National Treasurer advised</p>	

that a breakdown of the accounts from the Phoenix Challenge will be circulated by the Chief Commissioner (Youth Programme).																									
<b>10. Appointment of Auditors.</b>																									
The National Council resolved to appoint Grant Thornton Chartered Accountants & Registered Auditors as Auditors for Scouting Ireland.																									
<b>11. Scout Foundation</b>																									
The National Council resolved to endorse of the Annual Report of The Scout Foundation																									
<b>12. Governance Project</b>																									
<p>The National Council noted an update on the Governance Project from:</p> <ul style="list-style-type: none"> <li>• James O’Toole</li> <li>• Martin Burbridge</li> <li>• Jimmy Cunningham</li> </ul>																									
<b>13. Election of Honorary Vice-Presidents – HVP-1</b>																									
<p>The National Council resolved to elect the following as Honorary Vice-Presidents of Scouting Ireland:</p> <ul style="list-style-type: none"> <li>• Eoghan Lavelle</li> <li>• Kenneth Ramsey</li> <li>• Donald Harvey</li> <li>• Martin Burbridge</li> <li>• Seán Farrell</li> <li>• Kiernan Gildea</li> </ul>																									
<b>14. Honorary Life Membership - HM-1</b>																									
<p>The National Council resolved to grand Honorary Life Membership of Scouting Ireland to:</p> <ul style="list-style-type: none"> <li>• Ian Davy</li> </ul>																									
<b>15. National Youth Reps</b>																									
<p>David Shalloo, Chief Commissioner (Youth Programme) introduced the National Youth Reps, who were presented with their Youth Reps neckerchiefs by the Chief Scout: -</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 33%;"><b>Scout Reps</b></td> <td style="vertical-align: top; width: 33%;"><b>Venture Reps</b></td> <td style="vertical-align: top; width: 33%;"><b>Rover Reps</b></td> </tr> <tr> <td>Éadaoin Doherty</td> <td>Amy Barter</td> <td>Calum Armstrong</td> </tr> <tr> <td>Leo Geary</td> <td>Kealan Casey Donnelly</td> <td>Eoin Boylan</td> </tr> <tr> <td>Orla Hendrick</td> <td>Sam Dean</td> <td>Christopher Boyle</td> </tr> <tr> <td>Jack Horgan</td> <td>Curtis Dent</td> <td>Tiarnan Doherty</td> </tr> <tr> <td>Luke Hurson</td> <td>Grace Dunne</td> <td>Shane Dowling</td> </tr> <tr> <td>Aoife Kiely</td> <td>Max Goetze</td> <td>Caoimhe Fitzgibbon</td> </tr> <tr> <td>Trudy Nolan</td> <td>Aine Kane</td> <td>Aine Lynch</td> </tr> </table>		<b>Scout Reps</b>	<b>Venture Reps</b>	<b>Rover Reps</b>	Éadaoin Doherty	Amy Barter	Calum Armstrong	Leo Geary	Kealan Casey Donnelly	Eoin Boylan	Orla Hendrick	Sam Dean	Christopher Boyle	Jack Horgan	Curtis Dent	Tiarnan Doherty	Luke Hurson	Grace Dunne	Shane Dowling	Aoife Kiely	Max Goetze	Caoimhe Fitzgibbon	Trudy Nolan	Aine Kane	Aine Lynch
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Sean O'Hara Niamh Phelan	Dean O'Sullivan Michaela Tracey	Maeve Richardson Conor Waters	
<b>16. Adult Awards</b>			
Scouting Ireland conferred the Order of the Cú Chulainn on:			
<ul style="list-style-type: none"> <li>• Anthony Corcoran</li> <li>• Tom McKiernan</li> <li>• Martin Ryan</li> <li>• James O'Toole</li> </ul>			
<b>Lunch 13:00 – 14:00</b>			
<b>17. Presentations to National Council</b>			
The National Council noted presentations from:			
<ul style="list-style-type: none"> <li>• Jamborí 2018 – Kiernan Gildea</li> <li>• The Scout Shop – Dermot McMullan</li> <li>• Dr. Tony Bates - CEO JigSaw,</li> <li>• John Lawlor – CEO, Scouting Ireland</li> </ul>			
<b>18. Motions and Proposals to National Council</b>			
The Chief Scout reminded National Council of meeting procedures.			
Results of Motions and proposals as received by the National Secretary and referred by the National Management Committee – <b>Appendix A</b> to the Minutes of National Council 2017.			
<b>19. Suspension of Standing Orders</b>			
At 5pm the Chief Scout asked to suspend Standing Orders to extend the time for another 60 minutes. This was agreed.			
At 6pm the Chief Scout asked to suspend Standing Orders to extend the time for a further 30 minutes. This was agreed.			
<b>20. Guests of National Council</b>			
The International Commissioner, Claire McAroe, introduced representatives of the Danish Scout Association, DDS, who had attended the meeting of the National Council. The International Commissioner informed the meeting that Scouting Ireland has started a partnership with the Danish Scouts.			
They addressed National Council and presented the Chief Scout with an “Optomist” and the Chief Scout presented them with International scarves.			
<b>21. Announcements of Results</b>			
The Chief Scout called on those who were retiring from the National Management Committee and presented them with a memento from Scouting Ireland:			

<ul style="list-style-type: none"> <li>• Ollie Kehoe, National Secretary</li> <li>• Kieran McCann, Provincial Commissioner (Northern Province)</li> <li>• James O’Toole, Provincial Commissioner (North East Province)</li> <li>• Chris McSweeney, Provincial Commissioner (Southern Province)</li> </ul> <p>Following the votes cast by delegates, the National Secretary announced the following candidates as elected for the following positions:</p> <ul style="list-style-type: none"> <li>• Charlie McGuinness – National Secretary</li> <li>• Kieran McCann – Provincial Commissioner (Northern Province)</li> <li>• Stephen Halpin – Provincial Commissioner (North East Province)</li> <li>• Derek Long - Provincial Commissioner (Southern Province)</li> </ul>	
<p><b>22. Chief Scouts Closing Address</b></p>	
<p>The Chief Scout, Christy McCann, thanked all of the candidates for positions and the Tellers for their work. He congratulated all those who were presented with awards and the Youth Reps. He praised the former National Secretaries for their sterling work for Scouting Ireland.</p> <p>The Chief Scout also thanked everyone who had made National Council happen: the staff of the RDS, the speakers of the day, Pat Hollingsworth and crew, all of the Tellers and Podium Managers, and the National Office Team.</p> <p>He welcomed the new team in the National Management Committee and thanked delegates for attending and wished them a safe trip home.</p>	
<p><b>23. CONCLUSION</b></p>	
<p>There being no other business the meeting was concluded</p> <p>Date and venue for next year’s National Council:</p> <p style="text-align: center;"><b>14<sup>th</sup> April 2018 – The Helix, Dublin</b></p>	

**NATIONAL COUNCIL AGM 2017 – MOTIONS & PROPOSALS**

<b>HONORARY VICE-PRESIDENTS</b>			
<b>HVP - 1</b>		<p><b>Honorary Vice Presidents:</b></p> <p>To elect the following as Honorary Vice Presidents of Scouting Ireland as nominated by the National Management Committee:</p> <ul style="list-style-type: none"> <li>• Eoghan Lavelle</li> <li>• Kenneth Ramsey</li> <li>• Donald Harvey</li> <li>• Martin Burbridge</li> <li>• Seán Farrell</li> <li>• Kiernan Gildea</li> </ul> <p><i>(National Management Committee)</i></p>	<b>Carried</b>
<b>Honorary Membership</b>			
<b>HM - 1</b>		<p>To confer the title of Honorary Life Member of Scouting Ireland on:</p> <ul style="list-style-type: none"> <li>• Ian Davy</li> </ul> <p><i>(National Management Committee)</i></p>	<b>Carried</b>
<b>Motion</b>			
<b>M - 1</b>	<b>Article 3</b>	<p>That this National Council agrees to amend <b>Article 3</b> of the Constitution to read as follows;</p> <p>The Aim of Scouting Ireland is to encourage the Social, Physical, Intellectual, Character, Emotional and Spiritual development of young people so that they may achieve their full potential and, as responsible citizens, to improve society.</p> <p><i>(Waterford Scout County)</i></p> <p><i>(Notice of motion passed by the AGM of the National Council 2016)</i></p> <p><b>Proposer's Explanation</b></p> <p>When the Notice of Motion to amend Article 3 was presented to Scouting Ireland in 2006 (and carried in 2007) the wording was not stated in the manner to which we now refer to as the SPICES. This notice of motion is to bring our Constitution in line with how we present, deliver, and train members of Scouting Ireland in relation to our Aim.</p>	<b>Carried</b>

Notice of Motion			
<b>NM - 1</b>	<b>Article 4</b>	<p>That <b>Notice of Motion</b> be accepted to amend Article 4 of the Constitution to read as follows;</p> <p>Scouting Ireland achieves its Aim through a system of progressive self-education, known as the Scout Method, the principal elements of which are:</p> <ul style="list-style-type: none"> <li>a) Promise and Law - the commitment to a code of living based on the values of the Scout movement;</li> <li>b) Personal Progression - a scheme to support the development of knowledge, skills and attitudes in all areas and to provide recognition for individual and group achievements;</li> <li>c) Learning by Doing - an approach that prioritises learning through practice, first-hand experience, and from both successes and mistakes;</li> <li>d) Small Group System – progressive, democratic and self-governing groups, usually of 6-8 young people, are the basic organisational structure of Scouting;</li> <li>e) Symbolic Framework - provides a setting for Scouting that stimulates the imagination through symbols, themes and stories;</li> <li>f) Nature and Outdoors - the natural environment is the primary setting for Scouting offering unique opportunities for the development of the young person;</li> <li>g) Young People and Adults Working Together - a partnership model in which young people are supported to become increasingly self-governing and independent; and</li> <li>h) Service and Commitment - recognises the importance of contributing to society by caring for others and the world around us.</li> </ul> <p><del>a) Voluntary membership of a group which, guided by adults, is increasingly self governing in its successive age groups.</del></p> <p><del>b) Commitment to a code of living as expressed in the Promise &amp; Law, the meaning of which is expanded as the member grows towards maturity.</del></p> <p><del>c) The provision of a wide range of attractive, constructive and challenging activities, including opportunities for adventure and exploration both indoors and outdoors.</del></p> <p><del>d) The provision of opportunities for leadership and responsibility.</del></p> <p><del>e) Learning by doing.</del></p> <p><del>f) Encouragement of activity in small groups.</del></p>	<b>Carried</b>

		<p><del>g) An award scheme, which encourages participation in its full range of activities and provides recognition of individual and group achievements.</del></p> <p><del>h) Symbolic Framework.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer’s Explanation</b></p> <p>The current description of the Scout Method contains elements, which are in the system, but are not the ones referred to in general documents and resources. This Notice of Motion is to bring our Constitution in line with how we present, deliver and train members of Scouting Ireland in relation to the achievement of our Aim.</p>	
<p><b>NM - 2</b></p>	<p><b>Article 41</b></p>	<p>That <b>Notice of Motion</b> be accepted to amend Article 41 of the Constitution to read as follows;</p> <p>The agenda for the Annual General Meeting of the National Council of Scouting Ireland shall include:</p> <ul style="list-style-type: none"> <li>a. The appointment of Tellers.</li> <li>b. The approval of the minutes of the previous meeting.</li> <li>c. The adoption of the Annual Report.</li> <li>d. The laying of the Audited Accounts of Scouting Ireland before the National Council.</li> <li>e. The reading of the Report of the Independent Auditors.</li> <li>f. The appointment of Auditors.</li> <li>g. The election of the Chief Scout, Chief Commissioners, National Secretary and National Treasurer as and when necessary.</li> <li>h. The election of such other members of the National Management Committee nominated in accordance with the Rules as required.</li> <li>i. The election of the Honorary Vice-Presidents.</li> <li>j. The receipt of the Annual Report of the <b>Trust Companies.</b></li> <li><del>k. To appoint members and directors to the Scout Foundation where nominated by a Scout Group Council, Scout County Board or the National Management Committee.</del></li> <li>l. The consideration of any matters referred to it by the National Management Committee.</li> <li>m. The consideration of any other proposals submitted in writing to the National Secretary not less than six weeks before the date of the meeting or otherwise in accordance with the Rules, by or on behalf of any Scout Group Council, Scout County Board, or any of the National Youth Fora.</li> <li>n. The conferring of the title of Honorary Life Member on such individuals either nominated by any Scout Group Council,</li> </ul>	<p><b>Carried</b></p>



		<p>any Scout County Board or the National Management Committee.</p> <p>o. The exercising of any other functions resulting from this Constitution or the Rules.</p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	
<b>NM - 3</b>	<b>Article 53</b>	<p>That <b>Notice of Motion</b> be accepted to amend Article 53 of the Constitution to read as follows;</p> <p>Movable and immovable property of Scouting Ireland shall be vested <del>in the Scout Foundation</del> in accordance with the Rules.</p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	<b>Carried</b>
<b>NM - 4</b>	<b>Article 54</b>	<p>That <b>Notice of Motion</b> be accepted to delete Article 54 of the Constitution.</p> <p><del>The Scout Foundation is a company registered in Ireland, limited by guarantee without a share capital and is governed by its Memorandum and Articles of Association.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	<b>Carried</b>
<b>NM - 5</b>	<b>Article 55</b>	<p>That <b>Notice of Motion</b> be accepted to delete Article 55 of the Constitution.</p> <p><del>The members and directors of the Scout Foundation shall comprise of the Chief Scout, National Secretary, National Treasurer and four other members of Scouting Ireland nominated by any of the following for appointment by the National Council: the National Management Committee, any Scout County Board or any Scout Group Council.</del></p> <p><b>(National Management Committee)</b></p>	<b>Carried</b>

		<p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	
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<b>Rule Changes – Governance Project</b>			
<b>R – 1</b>	<b>Rule 32</b>	<p>That <b>Rule 32</b> be altered to read as follows:</p> <p>A Scout Group shall be registered before it commences Scouting and shall comply with the provisions of the Scouting Ireland Scout Group Charter.</p> <p><del>A Scout Group must be registered before it commences Scouting.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer’s Explanation</b></p> <p>See Appendix ‘A’</p>	<b>Carried</b>
<b>R – 2</b>	<b>Rule 41</b>	<p>That <b>Rule 41</b> be altered to read as follows:</p> <p>The Scout Group Charter is renewed each year after the Scout Group has successfully completed the annual registration procedure. Where a Scout Group fails to complete the annual registration procedure, and pay the annual fees, or fails to comply with the provisions of the Scout Group Charter, the National Management Committee may suspend or cancel the Scout Group’s Charter and the registration of the Scout Group or take such other reasonable steps as it deems appropriate.</p> <p><del>In the event that a Scout Group is unable to continue in operation or where the Scout Group materially contravenes the Constitution or Rules of Scouting Ireland the National management Committee may close the Scout Group.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer’s Explanation</b></p> <p>See Appendix ‘A’</p>	<b>Carried</b>
<b>R – 3</b>	<b>New Rule 43(A)</b>	<p>That a <b>new rule</b> be introduced to read as follows:</p> <p><del>The members of the Scout Group Council shall be:</del></p> <ul style="list-style-type: none"> <li><del>a) The Group Leader;</del></li> <li><del>b) The Group Chairperson;</del></li> <li><del>c) The Group Secretary;</del></li> <li><del>d) The Group Treasurer; and</del></li> <li><del>e) The Group Quartermaster/Bo’sun.</del></li> </ul>	<p><b>Carried</b></p> <p><b>For 394 Against 292</b></p>

		<p>f) Up to two other members of Scouting Ireland over the age of 18 years.</p> <p><i>(National Management Committee)</i></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	
R - 4	<b>Rule 44</b>	<p>That <b>Rule 44</b> be altered to read as follows:</p> <p>The Scout Group Council shall convene an Annual General Meeting of the Scout Group.</p> <p><i>(National Management Committee)</i></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	<b>Carried</b>
R - 5	<b>Rule 45</b>	<p>That <b>Rule 45</b> be altered to read as follows:</p> <p>The Scout Group Council shall meet at least four times a year. <del>including the Annual General Meeting of the Scout Group Council.</del></p> <p><i>(National Management Committee)</i></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	<b>Carried</b>
R - 6	<b>Rule 46</b>	<p>That <b>Rule 46</b> be altered to read as follows:</p> <p>The functions of the Scout Group Council shall be prescribed by the National Management Committee.</p> <p><del>are, inter alia:</del></p> <ul style="list-style-type: none"> <li><del>a) To plan and co-ordinate all activities of the Scout Group.</del></li> <li><del>b) To control and allocate finance and maintain proper accounts.</del></li> <li><del>c) To ensure that the Programme Sections operate the Youth Programme in accordance with the Aim, Principles and Method of Scouting Ireland.</del></li> <li><del>d) To implement the Youth &amp; Adult Involvement Policy of Scouting Ireland.</del></li> </ul>	<b>Carried</b>

		<p><del>e) To provide support to the Group Scouters in the delivery of the Youth Programme within the Programme Section.</del></p> <p><del>f) To consider and approve nominations and proposals for submission to the Scout County Board, the Scout County Management Committee and the National Council, as appropriate.</del></p> <p><del>g) To facilitate the training of all Group Scouters.</del></p> <p><del>h) To recruit suitable individuals to membership of Scouting Ireland and make nominations for appointment as Group Scouters.</del></p> <p><del>i) To form a Parents &amp; Friends Support Group.</del></p> <p><del>j) To co-ordinate a social programme for adult members as desired.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	
<b>R - 7</b>	<b>New Rule</b>	<p>That a <b>new rule</b> be introduced to read as follows:</p> <p>The National Management Committee may provide for other organisational structures for the Scout Group to support the Scout Group and it's Programme Sections in the delivery of the Youth Programme and the implementation of the Youth &amp; Adult Involvement Policy of Scouting Ireland.</p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	<b>Carried</b>
<b>R - 8</b>	<b>Rule 47</b>	<p>That <b>Rule 47</b> be altered to read as follows</p> <p>The Agenda for the Annual General Meeting of the Scout Group <del>Council</del> shall <del>consist of</del> <del>include</del> the following:</p> <ul style="list-style-type: none"> <li>a) The approval of the report of the Group Leader.</li> <li>b) The approval of the report of the Group Secretary.</li> <li>c) The approval of the accounts prepared by the Group Treasurer.</li> <li>d) The approval of the report of the Group Quartermaster/Bo'sun.</li> <li>e) The <b>election</b> of the Group Chairperson, Group Secretary, Group Treasurer, Group Spiritual/Religious Advisor/Chaplain and Group Quartermaster/Bo'sun, when necessary.</li> </ul>	<b>Carried</b>

		<p>f) The nomination of the Group Leader and the Deputy Group Leader(s), when necessary.</p> <p>g) Any other recommendations to the Scout Group Council.</p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	
<b>R - 9</b>	<b>Rule 50</b>	<p>That <b>Rule 50</b> be altered to read as follows:</p> <p>Those entitled to attend and vote at the Annual General Meeting of the Scout Group <del>Council</del> shall include:</p> <ul style="list-style-type: none"> <li>a) The Group Leader;</li> <li>b) The Deputy Group Leader(s);</li> <li>c) Up to three Programme Scouters from the Beaver Scouts, Cub Scouts, Scouts, Venture Scouts and three members elected by the Rover Scouts;</li> <li>d) The Group Chairperson;</li> <li>e) The Group Secretary;</li> <li>f) The Group Treasurer;</li> <li>g) The Group Spiritual/Religious Advisors/Chaplains;</li> <li>h) The Group Quartermaster/Bo'sun;</li> <li><del>i) Up to three other members of Scouting Ireland co-opted by the Group Council annually for purposes agreed by the Scout Group Council;</del></li> <li>j) Up to three other representatives of the Parents &amp; Friends Support Group, who are members of Scouting Ireland, subject to the approval of the Scout Group Council;</li> <li>k) The Group Trainer;</li> <li>l) A representative from the Scout Section;</li> <li>m) A representative from the Venture Scout Section;</li> <li>n) A representative from the Rover Scout Section;</li> <li><del>o) Group Scouters may attend meetings of the Scout Group Council.</del></li> </ul> <p><del>Other persons may attend meetings of the Scout Group Council subject to the approval of the Scout Group Council.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	<b>Carried</b>
<b>R - 10</b>	<b>Rule 52</b>	<p>That <b>Rule 52</b> be altered to read as follows:</p>	<b>Carried</b>

		<p>The Group Leader is a Scouter nominated by the Scout Group <del>Council</del>, recommended by the County Commissioner and appointed by the Chief Commissioner (Adult Resources), on behalf of the National Management Committee, for a term of three years, and is eligible for reappointment by the Chief Commissioner (Adult Resources), on behalf of the National Management Committee, upon the nomination of the Scout Group <del>Council</del> and recommendation of the County Commissioner for one further term of three years. On the expiry of the second three-year term, the Group Leader may be reappointed by the Chief Commissioner (Adult Resources), on behalf of the National Management Committee, for subsequent one-year terms subject to the approval of the Scout Group <del>Council</del> and the County Commissioner.</p> <p><b><i>(National Management Committee)</i></b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	
<b>R – 11</b>	<b>Rule 172</b>	<p>That <b>Rule 172</b> be altered to read as follows:</p> <p>Every Scout County Management Committee shall comply with the procedures adopted by the National Management Committee in relation to Annual Reports, Annual Budgeting, Operational Plans, and Financial Controls for the Scout County.</p> <p><del>Every Scout County Board, through its County Treasurer, must submit annual accounts to the National Treasurer. The annual accounts of each Scout Group in the Scout County must be submitted by Scout County Board to the National Treasurer.</del></p> <p><b><i>(National Management Committee)</i></b></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'A'</p>	<b>Carried</b>
<b>R - 12</b>	<b>New Rule</b>	<p>That a <b>new rule</b> be altered added to read as follows:</p> <p>The members of Scout Group Council shall be:</p> <ol style="list-style-type: none"> <li>The Group Leader</li> <li>The Group Chairperson</li> <li>The Group Secretary</li> <li>The Group Treasurer</li> <li>The Group Quartermaster/Bo'sun and</li> </ol>	<b>Fell</b>

		<p>f) <b>Further</b> members of Scouting Ireland, over the age of 18 years, elected at the annual General meeting of the Scout Group</p> <p><b>(Slieve Bloom Scout County Board)</b></p> <p><b>Proposer's Explanation</b></p> <p>We appreciate and support the need for the change to the rules to allow for in particular the requirements of the Charity Regulator in Northern Ireland. We do however believe that the Scout Group should have the authority to decide on the numbers and positions that serve on the Group Council, subject to the relevant legal requirements.</p>	
<p><b>R - 13</b></p>	<p><b>New Rule</b></p>	<p>That a <b>new rule</b> be added to read as follows:</p> <p>That National Council acknowledges that the legislation and statutory requirements in Northern Ireland and The Republic of Ireland may differ. National Council further acknowledges that the Groups in Scouting Ireland and its members must comply with the law and statutory requirements of the Jurisdiction in which the Scout Group resides.</p> <p>Therefore any Amendments or additions to any or all rules 43(a). 43(b) , 44, 45, 46, 46 (A) , 47, 50, and 52, but not limited to these, proposed by the National Management Committee for consideration by National Council, shall relate only to groups within Northern Ireland and should be denoted as such in the Rules of Scouting Ireland whereas the rules prior to said Amendments or additions shall be denoted "Republic of Ireland only".</p> <p><b>(Slieve Bloom Scout County Board)</b></p> <p><b>Proposer's Explanation</b></p> <p>This motion provides the opportunity for changes to be made to SI Rules to satisfy the CCNI whilst allowing for further discussions with the Charities Regulator in the Republic of Ireland to take place. It also allows for further discussions on possible future structures with the Republic of Ireland Scout Groups. The changes currently proposed are, in our opinion, potentially the biggest change to group life in Scout Groups since the formation of Scouting Ireland. Scouting Ireland must remain an All-Ireland Association and we recognize that Groups in Northern Ireland require rule changes so that they may comply with legislation in the jurisdiction in which they reside. This rule allows for both this and for the fact that there may be differences in legal and other requirements within the two jurisdictions.</p>	<p><b>Out of Order</b></p>



<b>R – 13 (A)</b>	<b>New Rule</b>	<p>That a <b>new rule</b> be added to read as follows:</p> <p>We propose that the rule changes being put forward by the National Management Committee, to National Council, to meet the requirements of the Charities Commission of Northern Ireland and Scout Groups in that jurisdiction, only apply to Groups in the six Counties of Northern Ireland and not across all thirty-two Counties, allowing for the Groups in Northern Ireland to operate in a lawful manner in line with the Association Rules, while allowing the rest of the Association timely discussion and preparation during the next two years to meet the requirements of the Charities Regulator in the Republic of Ireland</p> <p><b><i>(Waterford Scout County Board)</i></b></p> <p><b>Proposer’s Explanation</b></p> <p>At the Governance meeting on the 19<sup>th</sup> March members of the Governance team presented proposals being put forward to National Council to amend the Rules of the Association in relation to Group Council to ensure that our Scout Groups in Northern Ireland meet their legislative requirements. The rule changes however will apply to the whole association. This motion will allow for the Groups in NI to operate in line with the associations rules, while allowing the rest of the association time for discussion and preparation to meet the requirements of the Charities Regulator in ROI.</p>	<b>Out of Order</b>
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<b>Rule Changes – Other Companies</b>			
<b>R - 14</b>	<b>Rule 179K</b>	<p>That <b>Rule 179K</b> be deleted:</p> <p><del>The Irish Scouting Foundation is a company registered in Ireland, limited by guarantee without a share capital and exempt from using the word limited and is governed by its Memorandum and Articles.</del></p> <p><i>(National Management Committee)</i></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	<b>Carried</b>
<b>R - 15</b>	<b>Rule 179L</b>	<p>That <b>Rule 179L</b> be deleted:</p> <p><del>The directors of Irish Scouting Foundation shall consist of the, Chief Scout, National Secretary, the National Treasurer, and up to five other Members of Scouting Ireland recommended for appointment by the National Management Committee.</del></p> <p><i>(National Management Committee)</i></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	<b>Carried</b>
<b>R - 16</b>	<b>Rule 179M</b>	<p>That <b>Rule 179M</b> be deleted:</p> <p><del>The five other Members recommended by the National Management Committee for appointment as directors of Irish Scouting Foundation are appointed for a term of three years and are eligible for re-appointment for one further term of three years.</del></p> <p><i>(National Management Committee)</i></p> <p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	<b>Carried</b>
<b>R - 17</b>	<b>Rule 179N</b>	<p>That <b>Rule 179N</b> be deleted:</p> <p><del>The accounts of Irish Scouting Foundation shall be audited annually by the Auditor for Scouting Ireland.</del></p> <p><i>(National Management Committee)</i></p>	<b>Carried</b>

		<p><b>Proposer's Explanation</b></p> <p>See Appendix 'B'</p>	
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<b>Rule Changes – Complaints and Appeals</b>			
<b>R - 18</b>	<b>Rule 28</b>	<p>That <b>Rule 28</b> be altered to read as follows:</p> <p>An individual may be expelled from membership of Scouting Ireland on the grounds of misconduct or acts not in accordance with the Scout Promise or breach of any terms or conditions attaching to membership of Scouting Ireland. Expulsion should be by notice in writing to that member and served personally or to the last known postal address of the member. <del>Expulsion proceedings will be issued in accordance with Scouting Ireland's Disputes Process. The notice should be signed on behalf of the National Management Committee</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>The proposed amendments to these Rules are required in order to facilitate the introduction of a new Scouting Ireland Disputes Process. This new Process will replace the existing Scouting Ireland Conflict Resolution Policies and Procedures, which are no longer fit for purpose.</p>	<b>Carried</b>
<b>R - 19</b>	<b>Rule 29</b>	<p>That <b>Rule 29</b> be altered to read as follows:</p> <p>Any member dissatisfied with a decision made to cancel, withdraw or suspend his or her Appointment or Position in Scouting Ireland or terminate his or her membership of Scouting Ireland may appeal such cancellation, withdrawal, suspension or termination, in writing to the National Secretary, or in the case where the National Secretary is the appellant, the Chief Scout, within 21 days of notification of such cancellation, withdrawal, suspension or termination. <del>Appeals will be conducted and concluded in accordance with Scouting Ireland's Disputes Process. The National Secretary will appoint an Appeals Committee consisting of a Commissioner and two other members of Scouting Ireland, one nominated by the appellant, the other nominated by the National Secretary. No member of the Appeals Committee should have a direct connection with the appellant. Such an Appeals Committee will not later than 21 days after its appointment commence such proceedings, as it deems necessary to allow it conduct such an appeal. The decisions of the Appeals Committee shall be final.</del></p> <p><b>(National Management Committee)</b></p> <p><b>Proposer's Explanation</b></p> <p>The proposed amendments to these Rules are required in order to</p>	<b>Carried</b>

		facilitate the introduction of a new Scouting Ireland Disputes Process. This new Process will replace the existing Scouting Ireland Conflict Resolution Policies and Procedures, which are no longer fit for purpose.	
<b>R - 20</b>	<b>Rule 30</b>	<p>That <b>Rule 30</b> be altered to read as follows:</p> <p>In the event of a dispute, every effort shall be made to settle the matter locally. <del>Scouting Ireland's Disputes Process shall be used to facilitate a resolution. The dispute shall be resolved in accordance with Scouting Ireland's Conflict Resolution Policy. In the event of a failure to reach a resolution, the matter shall be referred to the National Management Committee.</del></p> <p><b><i>(National Management Committee)</i></b></p> <p><b>Proposer's Explanation</b></p> <p>The proposed amendments to these Rules are required in order to facilitate the introduction of a new Scouting Ireland Disputes Process. This new Process will replace the existing Scouting Ireland Conflict Resolution Policies and Procedures, which are no longer fit for purpose.</p>	<b>Carried</b>

<b>Rule Changes – County Youth Forum</b>			
<b>R - 21</b>	<b>Rule 84</b>	<p>That <b>Rule 84</b> be altered to read as follows;</p> <p>The Scout County Youth Fora in exercising its function under Article 35 of the Constitution must have a quorum of eight members present and voting.</p> <p><i>(Dun Laoghaire Scout County Board)</i></p> <p><b>Proposer's Explanation</b></p> <p>The Rule change is being proposed to reduce the risk of Scout County Youth Fora being unable to exercise its functions within Scouting Ireland's Rules due to a sometimes demanding and unreachable target. The proposal asks for a requirement of eight Youth Members to be in attendance, allowing for more Counties to run effective Youth Fora that abide by the Rules of Scouting Ireland.</p>	<b>Withdrawn</b>

<b>General Proposals</b>			
<b>GP - 01</b>	<b>General Proposal</b>	<p>That this National Council establishes the principle that all Youth Members participating in a National Activity, with an assessment leading to the achievement of an award, must be of the age of the relevant programme section on, or before, the 31<sup>st</sup> August immediately following the conclusion of that National Activity.</p> <p><b><i>(National Management Committee)</i></b></p> <p><b>Proposer's Explanation</b></p> <p>This motion provides definitive clarity on when a Youth Member is eligible to participate in a National Activity. By setting a clear date, Youth Members and Scouters will be provided with a certainty, which is currently missing. This criterion only refers to National Activities that have a competitive element or a form of assessment.</p> <p>For the avoidance of doubt, Youth Members will not be eligible to participate in a National Activity with an assessment leading to the achievement of an award, in circumstances where their age exceeds the maximum age for the relevant Programme Section on, or before, the 31<sup>st</sup> August immediately following the conclusion of that National Activity.</p>	<b>Carried</b>
<b>GP – 02</b>	<b>General Proposal</b>	<p>That this National Council implement a module similar to the Rover Scout 'The Safeguarding – Foundation eLearning Module' for new Scouters in order to allow bedding in period of 6 months maximum, before they start their official Being a Scouter Training.</p> <p><b><i>(Lakelands Scout Group Council)</i></b></p> <p><b>Proposer's explanation</b></p> <p>It was felt by the Group Leaders that if a new scouter can do their Safeguarding module online once they have sent in their applications to HO and have been vetted, that this would give them time to see what exactly Scouting is about and to allow them a bedding in period before they do the weekend training. If they have their garda vetting and the safeguarding module done on line at least they would be able to attend weekly meetings. We as a Scout County feel that the new training regime is fantastic opportunity for adults to commit to Scouting and learn outdoor adventure skills through active involvement with young people in their community. This change if adopted, would give groups a chance to showcase what Scouting is all about, and allow them to "Sell" Scouting for adults to prospective new members. For groups that are struggling to recruit new adult members this change would remove any obstacles (perceived or otherwise) to recruiting these</p>	<b>Lost</b>

		new adults. We strongly feel that this change is essential to the continued growth of Scouting in communities across the country.	
<b>GP – 03</b>	<b>General Proposal</b>	<p>That this National Council takes into consideration that an anomaly has arisen with the changeover to the new training scheme in that people wishing to become Adult Members of Scouting Ireland must now complete the Being a Scouter element of the woodbadge training as well as Garda Vetting before they can become an active member of Scouting Ireland. The anomaly arises where the Garda Vetting process has been completed but the prospective member has not yet attended the Being a Scouter course. According to the database they are now a fully active member of Scouting Ireland, which incurs the capitation fee when they're not yet eligible to participate.</p> <p><i>(Carlow Kilkenny Scout County Board)</i></p> <p><b>Proposer's explanation</b></p> <p>Our proposal is that the database be kept as "pending" until they have completed both the course and the Garda Vetting.</p>	<b>Withdrawn</b>
<b>GP - 04</b>	<b>General Proposal</b>	<p>That this National Council requests the National Management Committee to recognize the need for new Scouters to be able to engage sooner in the respective Programme Sections, by facilitating the delivery of the "Safe Guarding" part of the current Scouter training scheme, as a separate, stand-alone module of that training scheme.</p> <p><i>(Tolka Scout County Board)</i></p> <p><b>Proposer's explanation</b></p> <p>Groups in our Scout County have experienced that when recruiting new Scouters into their Groups that the time frame is extremely long before they can get involved with the weekly meetings of Programme Sections. Because of this elongated timeframe some of the people who had volunteered to be Scouters have lost interest in joining these Groups.</p> <p>When people volunteer to be Scouters, they expect to be able to participate in weekly meetings of Programme Sections within a reasonable timeframe. If passed by National Council we believe that outcome of this motion, when implemented, would also allow such people who wish to become Scouters time to familiarize themselves with the Group and with Scouting, including our aims and objectives.</p>	<b>Withdrawn</b>
<b>GP - 05</b>	<b>General</b>	That this National Council instructs the National Management	<b>Lost</b>



	<b>Proposal</b>	<p>Committee to revert to the previous policy of not charging its Adult Members an annual registration fee.</p> <p><b><i>(Waterford Scout County Board)</i></b></p> <p><b>Proposer's Explanation</b></p> <p>The involvement of Scouters is vital to Scouting Ireland and they should not have to pay for the privilege for doing so. Adults contribute freely of their time and energy for the young people at Group, County, Provincial and National level and this contribution should be acknowledged through non-payment of fees. In the past the NMC made the decision to do away with adult fees and at the same time increased youth membership fees accordingly. It is now profoundly unfair to not only charge adults but to increase the fees in line with the level of the Youth Members' fees.</p>	
<b>GP - 06</b>	<b>General Proposal</b>	<p>That this National Council instructs the National Treasurer to bring any and all future proposed increases in membership fees to National Council for consideration.</p> <p><b><i>(Waterford Scout County Board)</i></b></p> <p><b>Proposer's explanation</b></p> <p>At the formation of Scouting Ireland it was decided that the adult fees would be done away with and the youth membership fees would be raised accordingly (to cover the shortfall). Unfortunately in recent years fees for adults have been brought back into Scouting Ireland without any reduction in youth membership fees. This motion will ensure full transparency in relation to membership fees in the future.</p>	<b>Withdrawn</b>
<b>GP - 07</b>	<b>General Proposal</b>	<p>That this National Council instructs the National Management Committee (NMC) to revert to its previous policy in relation to the 12 Days of Christmas Draw and not take any of the proceeds of this fundraiser, instead leaving all the proceeds at Group level where they are most needed.</p> <p><b><i>(Waterford Scout County Board)</i></b></p> <p><b>Proposer's explanation</b></p> <p>The 12 Days of Christmas fundraiser was re-launched some years ago to provide Groups with the opportunity to use the event to raise adequate funds to run their Scout Groups. At the time of the re-launch the membership fees were increased so that the full amounts raised through the 12 Days of Christmas Draw would</p>	<b>Withdrawn</b>

		remain with the Group and not be used at National level. To begin this process of taking proceeds from the fundraiser could lead, in the future, to the full amounts going to National level.	
<b>GP - 08</b>	<b>General Proposal</b>	<p>That this National Council instructs that the National Management Committee shall acknowledge that Scout Groups may have various types of tents and shall not penalize any patrol which does not have canvas Icelandic tents in use at National Competitions or at their qualifying events.</p> <p><b><i>(4 Offaly (Edenderry) Scout Group Council)</i></b></p> <p><b>Proposer's explanation</b></p> <p>Many Scout Groups are unable to afford the purchase of expensive Icelandic style tents. If one of the prerequisites of a patrol qualifying to attend a National Competition is ownership of a canvas ridge tent we feel that this discriminates against Scouts from financially disadvantaged areas of the country. The Icelandic tent may be an icon associated specifically with Scouting but this is not an acceptable reason to ignore skills associated with correct use of more affordable modern style group tents, which deserve equal commendation at National Scouting Competition level.</p>	<b>Withdrawn</b>
<b>GP - 09</b>	<b>General Proposal</b>	<p>That this National Council instruct the National Management Committee to instruct National Office and Provincial Offices to begin accepting card payments (Credit and Debit) immediately for training courses and to also look at the feasibility of accepting other methods of payments including online through the scouts.ie website, along with EFT Bank Transfers, Direct Debits and Standing Orders from Scout Groups, by the start of the new Scouting year in September 2017.</p> <p><b><i>(2/6/47/93 Cork Douglas &amp; St Finbarres Scout Group Council)</i></b></p> <p><b>Proposer's explanation</b></p> <p>We propose this motion to allow places to be booked on training courses going forward once a payment has been made electronically or over the phone via a card. More than once has a Scouter been unable to attend a training course due to the fact a cheque needs to be sent to National Office to secure a place. It is fair to say that the practice of using cheques is slowly being phased out by the financial institutions and that a number of Scouters would not possess a chequebook and therefore need to arrange to meet the Group Treasurer and delay the booking process further.</p>	<b>Carried</b>
<b>GP - 10</b>	<b>General</b>	That this National Council requests the National Management	<b>Carried</b>

	<p><b>Proposal</b></p>	<p>Committee to undertake to deliver to the members of Scouting Ireland, as soon as possible, an online booking and payment system for the training courses delivered to Scouters</p> <p><i>(Tolka Scout County Board)</i></p> <p><b>Proposer's explanation</b></p> <p>The current system is not working; Groups in our Scout County have had several occasions where they checked online and there are places available on courses, but by the time the payment (cheque) reaches National Office, such courses are full. On one occasion on contacting National Office a Group was informed that there were vacancies so the Group Leader sent the completed form and a cheque in the post that day to National Office, however upon receipt of the form and cheque National Office emailed the Group Leader to say the course was full. We believe that the existing booking system is not the most effective working model for such a large organization, when other more suitable resources are available on the market, including in this case both an online availability, booking and payment system.</p>	
<p><b>GP - 11</b></p>	<p><b>General Proposal</b></p>	<p>That this National Council accepts and understands the need for all Scouters and Scout Groups to take timely action to implement safeguards and protection of personal data held by them relating to their members, and therefore instructs the National Management Committee to prepare and provide appropriate and timely levels of training and resources regarding Personal Data Protection and Data Privacy to Scouters and Scout Groups, so as to ensure that Scouting Ireland mitigates the current high level of risk and uncertainty, and so as to ensure that Scouters, Scout Groups, and Scouting Ireland are properly prepared for compliance with European Data Protection Regulation (GDPR)</p> <p><i>(6 Meath Ashbourne Scout Group Council)</i></p> <p><b>Proposer's explanation</b></p> <p>Our current lack of approach to Personal Data Protection and Data Privacy exposes Scouting Ireland, Scout Groups and Scouters to considerable levels of risk. A side effect of our proposed compliance with Charities regulations will be formalization of legal responsibility for data at the Scout Group level – a level of responsibility for which Scout Groups are not prepared. The forthcoming EU GDPR creates many changes to regulations on children's data, sensitive data, and the power and discretion of the supervisory authority to impose sanctions are of direct concern.</p> <p>All Scouters need to obtain a particular minimum of awareness concerning obligations on data protection, and 'officers' of Scout</p>	<p><b>Carried</b></p>

		Groups (on whom legal responsibility falls) need to be provided with specific training and relevant resources to support them in meeting their specific obligations.	
<b>GP - 12</b>	<b>General Proposal</b>	<p>That this National Council recognises the importance of Personal Data Protection, and so requires National Management Committee to provide adequate reassurance to Scouting Ireland members that both the Company and the Association has adequate processes and safeguards in place in respect of the personal data (automated and non-automated) which are held on all members of the Scouting Ireland past and present, youth and adult; and that appropriate preparations are in place for compliance with the EU General Data Protection Regulation (GDPR) from May 2018, particularly those aspects related to children’s data, sensitive data, consent, risk, data subject rights, and associated data protection implications arising from BREXIT.</p> <p><b><i>(6 Meath Ashbourne Scout Group Council)</i></b></p> <p><b>Proposer’s explanation</b></p> <p>Scouting Ireland’s current lack of transparent approach to Personal Data Privacy exposes Scouting Ireland, Scout Groups and Scouters to considerable levels of risk. A side effect of our proposed compliance with Charities regulations will be formalization of joint legal responsibility for data between the Scout Group and Scouting Ireland – a level of responsibility for which Scout Groups are not prepared. The forthcoming EU GDPR creates many changes in the legal and regulatory framework surrounding the processing of personal data, and in particular changes to regulations on children’s data, sensitive data, and the power and discretion of the supervisory authority to impose sanctions are of direct concern.</p> <p>These changes have direct implications for how Scouting Ireland obtains, processes, keeps and discloses personal data, particularly in respect of children.</p>	<b>Carried</b>

## Appendix A – Governance Proposals

This year at National Council, there is a series of rule changes proposed to restructure the Scout Group Council in order to comply with the Charities legislation in both the Republic of Ireland and Northern Ireland.

The Scout Group is the primary level of organisation of Scouting in Ireland. It is where the Youth Programme is delivered to our youth members. Registering Scout Groups as Charities ensures that the Scout Group remains in control of its own activities and finances.

The registration process requires a constitution document for the Charity and the identification of Charity Trustees. Currently Scout Groups are organised under the Scouting Ireland Constitution and Rules. As the Constitution and Rules also contains much detail about other parts of Scouting Ireland, a separate constitution document had to be created for Scout Groups to register as Charities.

All of the references to the Scout Group in the Constitution and Rules document were repeated in a separate constitution document for use by Scout Groups. Such was the most straight forward way to proceed. However, it was also clear that the existing management structures of our Scout Groups would pose problems and impose a level of unnecessary risk on those volunteers leading our Scout Groups.

The management structure of our Scout Groups is both simple and unusual. The Scout Group Council is the body charged with the management of the administration of the Scout Group. It is the only body involved. It reports to itself! It is also a very large body and while there are some permanent members of the Scout Group Council such as for example, the Group Leader and the Group Trainer there are also several non permanent members such as Scouters from a Programme Section or youth representatives neither of which is necessarily the same individual from meeting to meeting.

The Charities legislation in both jurisdictions requires every Charity to have Charity Trustees. The legislation imposes specific duties on Charity Trustees and there are sanctions, which can be imposed on any Charity Trustee who fails to carry out his or her duties. The Charity Trustees have collective responsibility for the well being of the Charity and to ensure that the Charity complies with the law. It is therefore important that those members of Scouting Ireland in our Scout Groups who have been fixed with the responsibility of being Charity Trustees are aware of who their fellow Charity Trustees are. It is also important that those who become involved in some form with a Charity do not find themselves in a position, which makes them de facto Charity Trustees (or being a Charity Trustee without knowing it because of what they do for a Charity).

There are many different solutions to the development of a management structure for our Scout Groups, which facilitates an effective but inclusive administration from a Programme Section and a youth involvement aspect while meeting the requirements imposed on the Scout Group by Charity legislation. Last year the National Management Committee took first steps in the development of a consultation process, which would design a modern management structure for Scout Groups, which would include all the principles, which Scouting Ireland and its Scout Groups regard as fundamental. That process is continuing. The new design must of course attend to the obligations imposed by the law but it must also be effective and sufficiently flexible for Scout Groups of different sizes in different communities.

The registration of our Scout Groups as Charities is upon us (indeed it is well advanced in Northern Ireland). An immediate solution involves the amendment of the management structures of our Scout Groups to introduce an Annual General Meeting at which the member of the Scout Group Council are nominated/ elected and the reduction of the size of the Scout Group Council (all members of which will be Charity Trustees without exception).

This new structure can in time be replaced upon the conclusion of the extensive consultation process for the design of a new modern management structure. But in the interim it will facilitate a structure which meets the requirements of the legislation and which protects our members by having a clearly defined Scout Group Council (the Group Leader, Chairperson, Secretary, Treasurer, QM/Bo'sun and up to 2 others appointed by the AGM). Those members of the Council will understand their responsibilities as Charity Trustees. It will also protect others in the Scout Group because the structures will clearly indicate that they do not have the responsibility and they should not fall into the trap of being a de facto Charity Trustee provided they observe the structures.

Clauses 6.4 and 6.5 of the Group Constitution document provides for some flexibility for each Scout Group in the development of its own structures beneath the Scout Group. The National Management Committee has proposed a Group Life document. In the design of these structures the Scout Group must take care not to disrupt the responsibility of the Scout Group Council as Charity Trustees. Such would not only pose legal risks for the members of the Scout Group Council but would also create risks for those involved in the body/ committee/ forum which the Scout Group created.

The document relating to Scout Group Life sets out options for sub committees, forums and teams that operate within the Scout Group. Scout Groups have to choose for themselves the option that suits them in order for Group Life to work effectively. There is flexibility within these options for the Group itself to make choices that best suit its own circumstances. It is certain that the structure of the Scout Group cannot remain as it is. That creates legal risk for all involved. The proposed structure is minimalist in terms of change and permits a significant degree of flexibility until the process of designing a new management structure which Scout Groups feel can be effective in meeting their new legal responsibilities and effective in their delivery of youth programme to the youth members in their charge.

## **Appendix B – Other Companies**

### **Trust Companies (The Scout Foundation, Scout Association of Ireland Trust Corporation Limited, Scouting Trust Property Limited)**

Articles 41 j. and 53 are being amended to reflect the fact that there are currently 3 Trust Companies and not The Scout Foundation alone.

Articles 41 k. and 55 of the Constitution provided for the inclusion on the agenda of the National Council of the appointment of members and directors to The Scout Foundation. Legally this was incorrect. It is not legally possible for Scouting Ireland to appoint members and directors to the Company but since 2004 it has been interpreted by all concerned that Scouting Ireland would nominate individuals for appointment by The Scout Foundation. The Scout Foundation (and indeed all of the Trust Companies are) is a company limited by guarantee. Currently the same individuals serve as members of the company and directors of the company. Following a governance review of the Trust Companies (including The Scout Foundation) the Boards of the Trust Companies concluded that it would be preferable to create a distinction between the members of the company and the directors of the Company. The members of the Company would attend the Annual General Meetings of the Trust Companies, approve the Annual Reports and appoint Directors to the Board. While the role of the member is important it is invariably not time consuming (meetings of the AGM of the Trust Companies rarely last more than 10 minutes!). A mechanism for the generation of members of the Trust Companies had to be devised. It was resolved that the members of the Company would be individuals who had served full terms as National Officers or members of the National Team for Policy Implementation and Co-ordination. Such a mechanism would generate new members automatically while ensuring that these new members were individuals who had been elected by the National Council to high office in Scouting Ireland. The proposal was considered by the National Management Committee who agreed that the governance change was in accordance with best practice and best served the interests of the Association in the Trust Companies. Accordingly the National Management Committee proposes the amendment to the Constitution to reflect the changes which have already been implemented by the Trust Companies to ensure that the Constitution accurately reflects what exists.

Article 54 of the Constitution is proposed to be deleted as it is a statement of fact only. It is superfluous and the National Management Committee proposes its deletion as part of a programme to tidy up the Constitution.

### **Irish Scouting Foundation**

Further to a meeting of the Board of Directors of the Irish Scouting Fellowship on 18<sup>th</sup> August (Minutes attached) the Board resolved to recommend that the Company be wound down in an orderly manner. The reason for this is that the Company remains inactive, and that Scouting Ireland Services can be used for fundraising initiatives, and has been granted permission by Revenue to operate the Donations scheme under the provisions of Section 848A and Schedule 26A Taxes Consolidation Act (TCA) 1997. The Board also noted that Revenue has written to the Company on 3 separate occasions in relation to the charitable tax exemption it enjoys, and noted that it would seek an update in relation to its activities in October 2016. The Board feel that there is a potential for reputational damage to Scouting Ireland if Revenue rescind the charitable tax exemption for this Company.

The Board have requested the NMC to consider the implications from a Scouting Ireland perspective. The Board noted that it would appear from Scouting Ireland's Rule 179 that the Company must remain in existence, and the Board are seeking clarification in relation to this, and if so what advise Scouting Ireland can provide so that the Company can be wound down.