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Ref: L18/2017 - Group Council Rule Change Explanation

23rd June 2017

Dear Scouter

As you may be aware, the National Council made a number of amendments to the Rules of Scouting Ireland at its meeting in April. These amendments were made to accommodate the registration of the Scout Group as a Charity or a Charitable Organisation with the regulator (the Charity Commission - in Northern Ireland or the Charities Regulatory Authority – in the Republic). In summary, both Regulators required a constitution for the Scout Group and the registration of the Charity Trustees of the Scout Group.

The changes to the Rules of Scouting Ireland made by the National Council were the minimum changes necessary for the time being. The Constitution of Scouting Ireland (Article 28) makes it clear that the Scout Group Council is the body which administers the Scout Group. The National Management Committee was advised that the members of the Scout Group Council are the Charity Trustees of the Scout Group.

I am writing to you to:

- a) Explain the changes to the governance of the Scout Group following the amendments to the Rules of Scouting Ireland made by the National Council.
- b) What needs to be done to prepare for registration if your Scout Group is in the Republic or following registration if your Scout Group is in Northern Ireland.
- c) Give you some proposals or suggestions from the National Management Committee on what you could do within the Scout Group following the changes made by the National Council.

A. The changes to the Scout Group following the National Council meeting.

There are **two** main changes:

1. There is the separation of the Annual General Meeting of the Scout Group from the Scout Group Council; and
2. There is a change to the membership of the Scout Group Council.

The Scout Group Annual General Meeting

Before the Rule change the Annual General Meeting of the Scout Group was a meeting of the Scout Group Council. Because the membership of the Scout Group Council is now reduced it would not make sense to continue in that way. Furthermore, it is better practice that the Scout Group Council

Reg. No. 397094
Charity No. CHY3507

PATRON Michael D. Higgins PRESIDENT OF IRELAND



Member of World Organisation of the Scout Movement

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would report to a different body. That body will now be the Annual General Meeting of the Scout Group, which the Scout Group Council is responsible for convening (Rule 44).

Also, Rules 47 and 50 were amended (the text is set out below for convenience). Rule 47 sets the Agenda for the Annual General Meeting and Rule 50 provides for who may vote at the Annual General Meeting. Attendance at the Annual General Meeting of the Scout Group is not restricted to only those who may vote and so while each Scout Group may decide for itself who may attend the meeting, the voting rights at the meeting are specified in Rule 50. The change made by the National Council was deliberate insofar as it avoids too much disruption or change. Those who are entitled to vote at the AGM of the Scout Group are in fact those who were the members of the Scout Group Council before the Rule change

Rule 47

The Agenda for the Annual General Meeting of the Scout Group shall consist of the following:

- a) The approval of the report of the Group Leader.
- b) The approval of the report of the Group Secretary.
- c) The approval of the accounts prepared by the Group Treasurer.
- d) The approval of the report of the Group Quartermaster/Bo'sun.
- e) The election of the Group Chairperson, Group Secretary, Group Treasurer, Group Spiritual/Religious Advisor/Chaplain and Group Quartermaster/Bo'sun, when necessary.
- f) The nomination of the Group Leader and the Deputy Group Leader(s), when necessary.
- g) Any other recommendations to the Scout Group Council.

Rule 50

Those entitled to attend and vote at the Annual General Meeting of the Scout Group shall include:

- a) The Group Leader;
- b) The Deputy Group Leader(s);
- c) Up to three Programme Scouters from the Beaver Scouts, Cub Scouts, Scouts, Venture Scouts and three members elected by the Rover Scouts;
- d) The Group Chairperson;
- e) The Group Secretary;
- f) The Group Treasurer;
- g) The Group Spiritual/Religious Advisors/Chaplains;
- h) The Group Quartermaster/Bo'sun;
- i) Up to three other representatives of the Parents & Friends Support Group, who are members of Scouting Ireland, subject to the approval of the Scout Group Council;
- j) The Group Trainer;
- k) A representative from the Scout Section;
- l) A representative from the Venture Scout Section;
- m) A representative from the Rover Scout Section;

Rule 44

The Scout Group Council shall convene an Annual General Meeting of the Scout Group.

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The Scout Group Council

As I already referred to earlier, the members of the Scout Group Council are the Charity Trustees of the Scout Group and will be registered formally at a later date with the CRA. Charity Trustees have statutory duties under the legislation. Also, certain individuals cannot be Charity Trustees. I would refer you to the series of Governance Bulletins [HERE](#) which will provide you with more information on that.

The National Council changed the membership of the Scout Group Council and Rule 43A (below) sets out who the members are now. There may be current vacancies in the Appointments or Positions until the next Annual General Meeting of the Scout Group but these could also be filled as soon as possible by convening an Extraordinary General Meeting and holding elections. Should you require advice on conducting elections in your Scout Group, your Provincial and County Teams along with your Provincial Support Officer/ Group Support Facilitator will be delighted to help.

New Rule 43 (A)

The members of the Scout Group Council shall be:

- a) The Group Leader;
- b) The Group Chairperson
- c) The Group Secretary;
- d) The Group Treasurer; and
- e) The Group Quartermaster/Bo'sun.
- f) Up to two other members of Scouting Ireland over the age of 18 years.

Rule 45

The Scout Group Council shall meet at least four times a year.

Rule 46

The functions of the Scout Group Council shall be prescribed by the National Management Committee.

Information on Rule 46

The current Scout Group Council functions as prescribed by the National Management Committee are set out in section 3.3 of the new Scout Group Constitution document which can be seen [HERE](#).

The reason for the insertion of the "shall be prescribed by the National Management Committee." Is to provide flexibility for the National Management Committee to quickly amend the Scout Group Council functions if it becomes necessary to do so.

It should be noted that the Scout Group Constitution supersedes and replaces the Group Rules

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and Standing Orders documents that were previously circulated. Following consultation with the Regulator it was necessary to take additional steps and amend the Rules of Scouting Ireland. The previous documents entitled Scout Group Rules and Standing Orders have therefore been superseded.

B. To get ready for registration as a Charitable Organisation if your Scout Group is in the Republic or what to do post registration if your Scout Group is in Northern Ireland.

The National Council introduced a Scout Group Charter which more clearly defines the relationship between the Association and the Scout Group. The Scout Group Charter mirrors the Rules of Scouting Ireland. The Scout Group Charter can be downloaded from [HERE](#). I have set out the new Rules (32 and 41) below.

The National Management Committee has directed that all Scout Groups should confirm acceptance of the Articles of the Scout Group Charter as soon as possible. This can be done by completing the form at the end of this letter and returning it to the National Office.

Article 5 of the Scout Group Charter requires the Scout Group to adopt the Scout Group Constitution. This document, as I mentioned earlier, is necessary for registration as a Charity/ Charitable Organisation.

If your Scout Group is in Northern Ireland you have already adopted the Scout Group Constitution. Therefore, all that is required for your Scout Group to accept the Charter is to convene a meeting of the Scout Group Council and pass a resolution to authorise the Group Leader or other member of the Scout Group Council to confirm acceptance online by completing the form at the end of this letter and returning it to the National Office.

If your Scout Group is in the Republic of Ireland, it will need to adopt the Scout Group Constitution. **A General Meeting of the Scout Group** will need to be convened by the Scout Group Council. This will be the same as if the meeting were the Annual General Meeting of the Scout Group except that there will be no reports or elections etc. as would be usual business for an Annual General Meeting. If your Scout Group usually holds its AGM in the next few months you might decide to wait until then. If, however the AGM is not due until later the Scout Group Council should convene a General Meeting to have the Scout Group Constitution adopted. While there is no date yet for the registration of the Scout Group as a Charitable Organisation in the Republic there have been some indications that it might be in the Autumn. The Scout Group Constitution will therefore need to be adopted before registration can proceed.

The National Management Committee would like all Scout Groups to have confirmed acceptance with the Scout Group Charter and therefore to have adopted the Scout Group Constitution by the **31st October 2017.**

Rule 32

A Scout Group shall be registered before it commences Scouting and shall comply with the provisions of the Scouting Ireland Scout Group Charter.

Rule 41

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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.

C. Some options for Scout Groups.

New Rule 46A

The National Management Committee may provide for other organisational structures for the Scout Group to support the Scout Group and its Programme Sections in the delivery of the Youth Programme and the implementation of the Youth & Adult Involvement Policy of Scouting Ireland.

Explanation

A document relating to Scout Group Life can be downloaded from [HERE](#). This sets out options for sub committees, forums and teams that operate within the Scout Group. Scout Groups should choose for themselves the option that suits them best for Group Life to work effectively. There is flexibility within these options for the Scout Group itself to make choices that best suit its own circumstances. The structure as suggested is minimalist in terms of change and permits a significant degree of flexibility. This is a live document and will be updated by the National Management Committee as often as necessary as consultations take place and feedback is received.

The documents noted in this correspondence are, as noted, live documents, and can be changed from time to time by the National Management Committee as required. The Governance Project is a permanent item on the NMC agenda and issues can be raised to your County Commissioner, who in turn will raise it at Provincial level for referral to the NMC or directly to governance@scouts.ie.

I trust the above information is of use to you and I wish all of you continued good Scouting for the summer.

Yours in Scouting



Charles McGuinness
National Secretary

CC:

Group Leaders
County Commissioners
Provincial Commissioners
National Management Committee
All Staff

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Group Council Registration

Confirmation Form



The _____ Scout Group
(print)

at a meeting that took place on: _____
(date)

resolved to adopt the Scout Group Constitution and accept the Articles of the Scout Group Charter.

Signed: _____ Date: _____

Group Leader/ Group Secretary/ Group Chairperson (delete as appropriate)

Please list the members of your Group Council below

Appointment	Name
Group Leader	
Group Secretary	
Group Treasurer	
Group Chairperson	
The Group Quartermaster/Bo'sun.	
Group Council Member	
Group Council Member	

Please note, if registering a new Group Leader/Deputy Group Leader THIS FORM must be submitted to National Office for the appointment to be granted by the Chief Commissioner (Adult Resources).

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