



**Scouts**

South East Scotland

**CONSTITUTION  
OF  
SOUTH EAST SCOTLAND REGIONAL SCOUT COUNCIL**

16 MARCH 2021

## **CONSTITUTION OF SOUTH EAST SCOTLAND REGIONAL SCOUT COUNCIL**

### **PREAMBLE**

Whereas:

- (a) the purpose of Scouting is to contribute to the development of young people in achieving their full physical, intellectual, social and spiritual potentials, as individuals, as responsible citizens and as members of their local, national and international communities,
- (b) with effect from 1 April 2008 the support structure for Scouting in Scotland was changed from one based on 31 Area Scout Councils to one based on 8 Regional Scout Councils,
- (c) Borders, East Lothian, Midlothian and the City of Edinburgh Area Scout Councils have resolved to 'amalgamate', with effect from 1 April 2008, to form South East Scotland Regional Scout Council,
- (d) for practical reasons it has been agreed by each of these Area Scout Councils that, after changing its name and approving this Constitution, Edinburgh Area Scout Council should become the said Regional Scout Council with effect from 1<sup>st</sup> April 2008 and
- (e) the said Regional Scout Council is the successor to each of the Area Scout Councils referred to in (c) above,

the following constitution was updated to reflect the Scottish Variations from the September 2020 edition of the Policy, Organisation and Rules (POR) of the Scout Association and supersedes all previous updates made.

### **1. THE REGIONAL SCOUT COUNCIL**

South East Scotland Regional Scout Council (hereinafter referred to as "the RSC") is responsible for overseeing and supporting Scouting in the local authority areas of Scottish Borders, East Lothian, Midlothian and the City of Edinburgh. It has a particular responsibility for supporting District Scout Councils in the Region in regard to development, recruitment, adult training and public relations. It is an autonomous body, affiliated to The Scout Association, and its affairs are managed by the Regional Executive Committee.

### **2. PRESIDENT AND VICE PRESIDENTS**

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

### **3. MEMBERSHIP OF THE REGIONAL SCOUT COUNCIL**

Membership of the RSC shall consist of:

- a. the President and Vice Presidents (if any)
- b. the Regional Chair, Regional Vice Chairs (if any appointed), the Regional Secretary and Regional Treasurer
- c. the Regional Commissioner, Deputy Regional Commissioners (if any appointed), Assistant Regional Commissioners and Regional Advisers
- d. all District Commissioners, District Chairs and Group Scout Leaders in the Region, including those holding provisional appointments
- e. two named representatives of each District Scout Council in the Region

- f. those District Youth Representatives who are members of The Scottish Council The Scout Association
- g. the Chief Commissioner of Scotland and the Chair of the Board of The Scottish Council The Scout Association, and
- h. any persons elected or re-elected annually by the RSC on the recommendation of the Regional Commissioner and the Regional Executive Committee.

#### **4. MEETINGS OF THE RSC**

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

At each Annual General Meeting the business shall be:

- a. to approve minutes of the previous Annual General Meeting and any subsequent Extraordinary General Meeting
- b. to receive, to consider and, if thought fit, to adopt the Annual Report of the Regional Executive Committee, including annual accounts and associated financial statements
- c. (if appropriate) to elect or re-elect a Regional President and/or Vice Presidents
- d. to receive and, if thought fit, to approve the Regional Commissioner's nominations of the Regional Chair and Regional Vice Chairs. Note these roles may not be held by a Leader, Manager or Supporter where that could lead to any real or potential conflict of interest within the charity or directly related charities.
- e. to elect a Regional Treasurer and (unless it is a remunerated post) a Regional Secretary. Note these roles may not be held by a Leader, Manager or Supporter where that could lead to any real or potential conflict of interest within the charity or directly related charities.
- f. to elect elected members of the Regional Executive Committee
- g. to receive and, if thought fit, to approve the Regional Commissioner's nominations of nominated members of the Regional Executive Committee
- h. to elect a nominated member and a nominated youth representative to serve on the Council of The Scout Association
- i. to appoint a suitably qualified auditor or independent examiner, as appropriate
- j. to receive a report from the Regional Commissioner, and
- k. to transact any other business which was specified in the agenda for the meeting either at the request of the Regional Executive Committee or by requisition signed by five members of the RSC and lodged with the Regional Secretary at least eight weeks prior to the meeting.

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

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

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

## **5. REGIONAL EXECUTIVE COMMITTEE**

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

- Comply with the Policy, Organisation and Rules of The Scout Association
- Protect and maintain any property and equipment owned by and/or used by the Region
- Manage the Regional finances.
- Provide insurance for people, property and equipment.
- Provide sufficient resources for Scouting to operate. This includes, but is not limited to, supporting recruitment, other adult support, and fundraising activities.
- Promote and support the development of Scouting in the local area.
- Manage and implement the Safety Policy locally.
- Ensure that a positive image of Scouting exists in the local community.
- Appoint and manage the operation of any sub-Committees or Leadership Teams, including appointing a Chair to lead the sub-committees or Leadership Teams.
- Ensure that Young People are meaningfully involved in decision making at all levels within the Region.
- The opening, closure and amalgamation of Districts, the Regional Scout Network and Scout Active Support Units in the Region as necessary.
- Appoint and manage the operation of an Appointments Advisory Committee, including appointing an Appointments Committee Chair to lead it.
- Comply with legislation applicable to charities in Scotland

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

The members of the Regional Executive Committee shall serve as charity trustees for the RSC, and in that capacity they shall have the fullest powers to administer and manage the RSC's

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

## **6. MEMBERSHIP OF THE REGIONAL EXECUTIVE COMMITTEE**

The Regional Executive Committee shall consist of:

**Ex officio members:** The Regional Chair, Regional Vice Chairs, Regional Commissioner, Regional Secretary and Regional Treasurer

**Elected members:** these should normally be four to six in number, elected annually at the Regional Annual General Meeting

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

**Co-opted members:** persons co-opted annually by the Regional Executive Committee; the number of co-opted members must not exceed the number of members who may be elected.

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

The Chief Commissioner of Scotland and the Chair of the Board of The Scottish Council The Scout Association shall have the right of attendance at meetings of the Regional Executive Committee.

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

## **7. SUB-COMMITTEES**

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

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

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

#### **8. CONDUCT OF MEETINGS**

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

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

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

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

#### **9. ALTERATIONS TO CONSTITUTION**

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

Approved by an Extraordinary General Meeting of the South East Scotland Regional Scout Council on 16 March 2021