



# Governance Bulletin



## Governance Bulletin #08 (Oct 2016)

### Feedback from the Provincial Consultations

Dear Scouter

Welcome to Scouting Ireland's Governance Bulletin, Issue 8, a publication developed to keep the membership informed of developments regarding the Governance Project that Scouting Ireland is currently undertaking.

This bulletin aims to provide the feedback received at the various Provincial Consultation Meetings held recently as promised.



### Introduction

Firstly, we would like to say a sincere thank you to all the 268 people who attended the recent consultation meetings. We received a terrific amount of feedback for which we are very grateful.

As promised the feedback will be set out in full in this bulletin with short answers and links to Scouting Ireland documents that can provide fuller explanations. Any issues that have been raised for the first time will be answered as fully as possible.

The following steps have been agreed with the National Management Committee (NMC):





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Step	Target Date
1. Issue this bulletin	25 October 2016
2. Issue a document clarifying the matters raised about Scout Group Trustees	Governance Bulletin 9 will cover this due in early November.
3. Presentation/Consultation at the Scouters Conference on the CRA issues affecting Scout Groups	12 November 2016
4. Draft Service Level agreement be published for discussion	Mid-November 2016
5. Draft Scout Group Charter to be published for discussion	Mid-November 2016
6. Scouting Ireland Strategy to be published	Mid-November 2016
7. Draft motions for National Council (NC) 2017 for consideration by NMC	4 November 2016
8. Agree a start date with the Charities Regulatory Authority (CRA) for Scout Group registration in the Republic of Ireland	Awaiting start date from CRA will advise when received.

9. Draft Motions for NC to be presented to Provincial Meetings for discussion and feedback	January 2017
10. Finalise motions for NC 2017	January 2017
11. Motions to be included in 2 <sup>nd</sup> mailing for NC	Mid-March 2017
12. National Council meeting in RDS Dublin	Saturday 8 April 2017

All the above items are being worked on by various members of the Governance work streams.







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## Consultation Meetings Feedback

The feedback received from the consultation meetings has been analysed and summarised. These items are not in the order they were given at the meetings but have been sorted to make it easier to follow.

If you feel we have missed or misunderstood anything that you may have said at one of the meetings, please let us know at [governance@scouts.ie](mailto:governance@scouts.ie).

You must be a registered user of [my.scouts.ie](https://my.scouts.ie) to access the resources on the Governance Project.

If you experience any difficulty registering, please contact [web@scouts.ie](mailto:web@scouts.ie) for assistance.



No.	Feedback Issues	Short response	Link to other detailed documents on SI Website <u>you must first be logged into the members section of my.scouts.ie</u>
1	Provide feedback on all the issues raised at the consultation meetings	That is what this bulletin is doing.	N/A
2	Members must be confident that they are listened to.	We hope that this bulletin will demonstrate that we are listening.	N/A
3	Put the presentation used at the consultation meetings on the SI Website.	Done.	<a href="#">Presentation</a>



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4	Major concerns still over Trustees responsibilities. This is a BIG issue.	Work is ongoing in relation to a booklet on the Scout Group and Charity Trustees. The members of the Scout Group Executive Team who are: The Group Chairperson; The Group Secretary; The Group Treasurer; The Group Quartermaster / Bo'sun; The Group Leader; are the Charity Trustees for the Scout Group.	Not yet Published  <a href="#">ROI Rules and Standing Orders Document</a>  <a href="#">NI Rules and Standing Orders Document</a>
5	Legal clarification in simple language for potential Trustees. It would be helpful to have a legal person in attendance	The booklet will be reviewed on that basis. We will endeavour to have a legal person on hand for future discussions on these issues.	N/A
6	Will Scout Groups still have the backing of SI for legal cases etc.	The same support as is currently available will still be provided.	N/A
7	Concerns over changes at Scout Group	Three documents have been published recently on the Scouting Ireland website to deal with this issue. They are:  1. Group Rules and Standing Orders - ROI Scout Groups Only;  2. Group Rules and Standing Orders -	<a href="#">ROI Document</a>  <a href="#">NI Document</a>  <a href="#">Motion for Groups</a>

		Northern Ireland;  3. Group Motion to Adopt Rules and Standing Orders.  A Scout Group Executive Team comprising - the Group Chairperson; the Group Secretary; the Group Treasurer; the Group Quartermaster / Bo'sun; and the Group Leader will help resolve issues with regard to the identification of Charity Trustees pending the outcome of the Scout Group Bulletin 9 which will be issued in Early November will give additional information on the role and functions of trustees.	
8	Scout Group Council Structure - can youth members be on Scout Group Council	Yes. However, it will be necessary to adopt the Scout Group Rules and Standing Orders to ensure that this can happen.	<a href="#">Motion for Groups</a>
9	Concerns about the interaction between Scout Group Trustees and Scout Group Council. Perhaps a need for some sort of Charter between the two.	The relationship between Scout Group Council and the Scout Group Executive Team (the Charity Trustees) is set out in sections 4.3 and 5 in the Scout Group Rules and Standing Orders document.	<a href="#">ROI Document</a>  <a href="#">NI Document</a>



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10	Proposed Scout Group Charter.	<p>This will be the document which defines the relationship between the Scouting Ireland Company and the Scout Group. It will set out what a Scout Group must do to be a part of Scouting Ireland and It will set out clearly what supports for Scout Groups are available as part of Scouting Ireland.</p> <p>Currently the relationship between the Scout Group and Scouting Ireland is governed and set out in the Constitution and Rules. When Scouting Ireland moves to a company only the Charter document will define the relationship between the Scout Group and the Company. It is proposed that there will be a draft Charter for the Transition phase of the Project and this will be published soon.</p> <p>The enduring Charter for use post 2019 will be put to National Council before being brought into operation.</p>	N/A
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11	Concern over Scout Groups continuing to have control over the company.	It is proposed that the Scout Groups will be the members of (and therefore in control of) the Company once the Transformation phase of the Project (moving to a company only) is complete.	N/A
12	Must continue to exercise due diligence and care	It is essential that Scout Groups and members exercise due care and attention always to minimise all risks including financial risks.	N/A
13	Will Scout Groups need independent external auditors?	The vast majority of Scout Groups are <b>NOT</b> required to have their annual accounts audited. It is only Scout Groups with an annual turnover (total income) in excess of significant amounts : €100,000 in Ireland and £500,000 in Northern Ireland (but there are interim measures which must be followed where the turnover is £250,000 or more) that must appoint an external auditor.	N/A
14	Will property values cause issues with need for audit?	Only Scout Groups with exceptionally valuable properties, may have to deal with this issue.	N/A



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15	Will SORP Accounting (Statement of Recommended Practice) requirement impact Scout Groups?	It is not anticipated at this time that any Scout Groups will be required to prepare their annual accounts using this method. This method is usually required where the annual turnover is above €100,000 or £250,000 in Northern Ireland. If a Scout Group Treasurer is advised at any stage that they must use this method to prepare the annual accounts, they should contact the National Treasurer for advice and assistance.	N/A
16	Need for Training and support for Treasurers	Draft module on Scout Group Executive Team management will be presented at the Scouters Conference for feedback – the full module will be rolled out in early 2017. It deals with Finance and Secretarial issues. Further assistance can be obtained by contacting the National Treasurer.	N/A
17	Worried about what happens to Properties especially if vested at National Level Can properties vested in the Scout Foundations be	The title to properties held by one of the Trust Companies will not be affected by any changes proposed. The Boards of the Trust Companies are preparing a document that will clarify any issues that Scout Groups may have regarding	N/A

	taken back by Scout Groups	properties. This will be published as soon as possible.	
18	What is required in the CRA Annual Return	The same Annual Accounts as currently required by Scouting Ireland. A short Annual Report from the Scout Group. Details on the return required by CCNI have been published and information will be sent to the Scout Groups in Northern Ireland.	Not yet published
19	What happens if you forget or are late with the CRA return?	The CRA/ CCNI will issue reminders to the designated contact person in the Scout Group. The CRA/ CCNI will provide whatever assistance they can in helping Scout Groups make the annual return. Advice can also be sought from National Office. The first CRA Annual Return will be due 10 months after year end, e.g. for a year end 31 <sup>st</sup> August, return due 30 <sup>th</sup> June	N/A
20	What can be done to help small Scout Groups who genuinely cannot get at least 3 Trustees, e.g. newly formed groups.	The members of the Scout Group Executive Team, i.e. The Group Chairperson, the Group Secretary, the Group Treasurer, the Group Quartermaster / Bo'sun and the Group Leader are the Trustees. If one or more of these posts is vacant the	N/A





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		other post holders are the Trustees.	
21	Why can we not get an exemption from registering	The aims and objectives of Scouting are within charitable objects identified by legislation and accordingly Scouting Ireland is a Charitable Organisation/ Charity. There are no exemptions.	N/A
22	Register National initially and then at Scout Group level when they are ready and have been fully informed and supported.	If Scouting Ireland proceeded to register nationally then there would need to be a loss of autonomy at Scout Group level to ensure that the Charity Trustees of Scouting Ireland i.e. the NMC could be responsible for and control, the assets and operations of the Scout Group. It was felt that this was the wrong way forward for Scouting Ireland.	N/A
23	CRA reps have previously said that local groups do not need to register if the National Organisation registers.	This is correct but this may well have been said by CRA reps some time before discussions between Scouting Ireland and the CRA agreed to the approach now adopted.	N/A

24	Why were Scout Groups not asked to elect as to whether or not they should register independently with the CRA? The whole process should be stopped until this has been done. Registration being pushed on people by National Office.	The decision on registration was taken by the National Management Committee to preserve the autonomy of the Scout Groups.	<a href="#">Charities Act Commencement Order</a>
25	A lot of frustration about National Office piling on bureaucracy and no training being provided for newly recruited Scouters.	Scouting Ireland endeavours to minimise bureaucracy wherever possible, however, completion of returns and some form filling is essential. The latest improvements to the SI Membership Management System are due to be launched later in the year which will provide much needed assistance to Scout Groups and will reduce bureaucracy further.	N/A
26	Training for new Scouters needed	These comments have been passed to the Chief Commissioner (Adult Resources) for action.	N/A
27	Some concerns about the role of Scout Counties vis-à-vis the Company.	These concerns will be addressed as soon as they can be clarified within the Project.	N/A



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28	The need to separate management of the Business from the management of Scouting operations	It is essential that we do this to ensure that SI fully complies with the legal obligations of the Companies Act, 2014, the Charities legislation and The Governance Code/ Code of Good Governance Act, 2009. During the transition period, i.e. April 2017 to April 2019, the authority of the NMC will continue to be responsible for the Association per the Constitution and Rules and the second only to National Council. The Board of Directors will be responsible to the NMC and must deliver all the services set out in the Service Level Agreement (SLA).	N/A
29	Why the Board of Directors should be elected based on skills	It is important that we ensure that the Directors of Scouting Ireland Services have the skills needed to manage a company of the scale of SI Services. It is envisaged that there will be an open call for interested parties to apply to be elected as a director. A nominations committee (comprising the Chief Scout and former Chief Scouts) will review the applications. This committee will advise National Management Committee	N/A

		whether, in the opinion of the committee, the candidates have demonstrated that they have the skills necessary to undertake the duties of a Director.  It is envisaged, Post Transformation that policy formulation and general 'Scout' work will take place in subcommittees of the Board. These committees will comprise volunteers with staff support where appropriate. The subcommittees will report to the Board.	
30	Will directors be elected to specific positions or for the Board in general?	The principles of good governance require all directors elected to have equal responsibility and the Directors will simply be elected to the Board and that they will agree assignment of individual roles themselves. In any event for the Transition phase there will be no requirement for specific roles in the Board of Scouting Ireland Services. During this phase the National Management Committee will continue as the policy making and main decision making body.	N/A





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31	Should there be geographical criteria for selecting Board members	It is not envisaged that geographical criteria should apply. All directors will be required by Company Law to act in the best interests of the Company as a whole at all times having taken due account of the disparate needs of the members (i.e. the Scout Groups).	N/A
32	The Board of Directors should be held to account at the company AGM.	During Transition the Board of Directors will report to the AGM of the Company and it will be up to the NMC to ensure that the Company implements the SLA efficiently and effectively through its Board. Post Transformation the Board of Directors will report to the members at the AGM (i.e. the Scout Groups) and the Directors will be elected by the AGM.	N/A
33	Need for a senior passionate scouting person to be on the Board of Directors to ensure that the Board does not ignore the scouting ethos.	It is hoped that Scouters will be willing to put themselves forward for appointment/ election to the Board! Who else would be best to sit on the Board other than passionate scouting persons!	N/A
34	Would like to be able to propose	Under the current SI Constitution & Rules, this is	N/A

	motions on the day of the AGM if possible.	not permitted for meetings of National Council but consultations on the Transformation Project will continue over the next few years and all such ideas and proposals may be debated and considered.	
35	Would want youth members to be able to be delegated by the Scout Group to attend the Company AGM.	There are many ways to achieve this objective and it is not envisaged that youth members would not attend the Company AGM.	N/A
36	Need for some form of National Council to deal with Scouting Affairs.	Consultations on the Transformation Project will continue over the next few years and all such ideas and proposals may be debated and considered. It is anticipated there will be various forums where Scouting Affairs can be brought to the attention of the S.I. leadership.	N/A
37	Anxious that there would continue to be a National Committee managing the Scouting Affairs	Consultations on the Transformation Project will continue over the next few years and all such ideas and proposals may be debated and considered. It is anticipated there will be various committees which will provide Scouters with ample opportunities to raise Scouting issues.	N/A



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38	Good understanding of the need for various sub-committees but no specific suggestions yet from the attendees.	There are currently many sub-committees and teams working to deliver support to Scouting. This will continue to be the case into the future, however, over the next two years we have an opportunity to make changes and improvements and we welcome suggestions.	N/A
39	Mechanism needed to deal with incorporated legal entities, unincorporated entities and individuals as company members?	The National Management Committee has already agreed that this needs to be taken into account.	N/A
40	Scout Group Charter - what will be in it?	This will be the document which defines the relationship between the Scouting Ireland and the Scout Group. It will set out what a Scout Group must do to be a part of Scouting Ireland and It will set out clearly what supports for Scout Groups are available as part of Scouting Ireland. An interim Charter to cover the Transition will be published shortly and the final Charter Post Transformation will follow.	Not Published yet

41	Can the Charter & SLA be one document	No. They are two entirely separate matters. The Charter is the document between the Scout Group and Scouting Ireland (the Association during the transition phase) and the SLA is the document between the Association and the Company during the transition phase from April 2017 to April 2019. Post Transformation the Charter will define the relationship between the Groups and Scouting Ireland and there will no longer be a need for the SLA.	Not published yet
42	Should the Charter define what happens to assets when a Scout Group closes	Yes, it will.	Not published yet
43	SLA good idea and would like a way of Scout Groups views being incorporated into the SI Strategy.	The SLA will be between the NMC for the Association and the Company (Scouting Ireland Services). The Charter will define the relationship between the Scout Group and the Association during the Transition phase and between the Scout Group and the Company post the Transformation. There will be mechanisms for Scout Groups to contribute to	Not published yet



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		strategy development post Transformation.	
44	Would like to understand how the SLA would work in practice to ensure the Board of the Company delivers what Scout Groups etc. need.	The NMC will see to that. It is planned to publish a discussion draft of this document before the end of 2016 and this will help explain in clearer terms what it is about.	Not published yet
45	Can the voluntary Governance Code be adapted for Scouting via the QSE?	Work has commenced on a Scout Group Version of this. The QSE will be a support to this document.	Not published yet
46	What are the legal impediments to staying as we are?	As set out previously there were a number of options considered including staying as we are. Having considered the various options and receiving advice from Arthur Cox Solicitors the NMC decided that the best way forward is to change. This will provide the best opportunity for SI to fully comply with relevant legislation and to minimise risk for volunteers.	<a href="#">Arthur Cox Document</a>
47	Can delegates from the Scout Group to the AGM have a free vote or must they vote as per the Scout Group Council instructions.	Normally delegates should vote according to the instructions they have received from the Scout Group. They should not vote in any other way unless mandated to do so by the Scout Group.	N/A

48	Constitution & Rules will have to be changed.	A number of changes will be needed to the Constitution and Rules and these are currently being considered. All motions on this phase of the project will be published for consultation and discussion in January 2017.	N/A
49	If Counties part of SI National registration would their end of year Bank balances affect National registration.	They will have to be included in the annual report of Scouting Ireland to the Regulator. The assets of individual Counties will not be identifiable in the consolidated accounts of S.I. which will be filed with the Regulator.	N/A
50	Early publishing of the proposals for National Council would be really good.	It is planned to publish the proposals for consultation and discussion in January 2017.	N/A
51	Make sure Provincial and County Structures are mentioned in slides	We have been doing this since this issue was raised.	N/A
52	Are funding organisations using compliance with the Governance Code as a measure.	Work has commenced on a Scout Group Version of this. The QSE will be a support to this document.	Not published yet
53	There should be more emphasis on joining SI being more attractive	We are constantly working on this.	N/A





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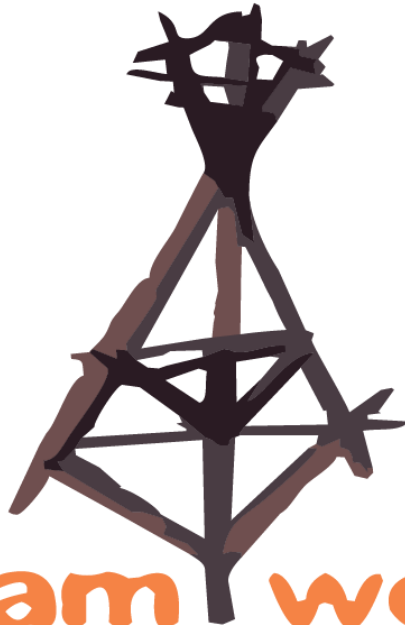
54	Member retention, adults, very important.	This is and will continue to be an important issue.	N/A
55	Need better feedback at local level.	The NMC has been made aware of this and the Provincial Commissioners in conjunction with County Commissioners will try to improve this.	N/A
56	Can the Province arrange meetings in each County to provide information?	The NMC has been made aware of this and the Provincial Commissioners in conjunction with County Commissioners will consider this.	N/A
57	Where do staff fit in	They will continue to be employed by Scouting Ireland Services and will continue to be answerable to the CEO.	N/A
58	We should stop and only go ahead over a 5-year period with Central registration in the meantime until Scout Groups are ready to register.	See the reply to this issue earlier.	<a href="#">Charities Act Commencement Order</a>
59	How do we get the information to Scout Groups who do not turn up to meetings or read mailings?	The NMC has been made aware of this and the Provincial Commissioners in conjunction with County Commissioners will consider this.	N/A

60	Should SI seek Corporate Sponsorship and can Scout Groups get Sponsorship.	The NMC and especially the National Treasurer and the CEO are considering this issue.	N/A
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## Team work

### Useful Links

Charity Regulator (registering your Scout Group as a charity ROI):

[https://www.charitiesregulatoryauthority.ie/Website/CRA/CRAweb.nsf/page/main tenance-register-en](https://www.charitiesregulatoryauthority.ie/Website/CRA/CRAweb.nsf/page/main%20tenance-register-en)

The Charity Commission for Northern Ireland (registering your Scout Group as a charity NI)

<https://www.charitycommissionni.org.uk/>

All this information and other Information as it becomes available will be hosted on a dedicated part of our website:

[https://my.scouts.ie/list\\_resources/national\\_initiatives/governance\\_resources-389.html](https://my.scouts.ie/list_resources/national_initiatives/governance_resources-389.html)

The Wheel

[www.wheel.ie](http://www.wheel.ie)

Again, If you have any queries,

<https://scoutingireland.wufoo.eu/forms/governance-questions/>

or contact us by email at [governance@scouts.ie](mailto:governance@scouts.ie)

