

CONSTITUTION OF CALDER DISTRICT SCOUT COUNCIL

(SCOTTISH CHARITY NUMBER 031041)

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 streamlined on a Regional basis with a smaller number of Districts than previously,
- (c) Monklands and Motherwell District Scout Councils have resolved to amalgamate, with effect from 1 April 2008, the amalgamated body to be known as Calder District Scout Council,
- (d) the restructured District Scout Council is the successor to each of the existing District Scout Councils referred to in (c) above,

the members of the restructured District Scout Council adopted the following Constitution at their meeting held on 31 August 2008.

1. THE DISTRICT SCOUT COUNCIL

Calder District Scout Council (hereinafter referred to as "the DSC") is responsible for overseeing and supporting Scouting in Airdrie, Bellshill, Coatbridge, Motherwell, Shotts and Wishaw and the surrounding villages within geographical boundaries agreed between the DSC and the Clyde Regional Scout Council. It is an autonomous body, affiliated to The Scout Association, and its affairs are managed by the District Executive Committee.

2. PRESIDENT AND VICE PRESIDENTS

The DSC 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 DISTRICT SCOUT COUNCIL

Membership of the DSC shall consist of:

- a) the President and Vice Presidents (if any)

- b) the District Chairman, District Secretary and District Treasurer

- c) the District Commissioner and all other adult members and associate members of The Scout Association in the District, including other Commissioners, Leaders, Assistant Leaders, Section Assistants, Skills Instructors, Advisers and members of Scout Fellowships and the Scout Network, including those holding provisional appointments

- d) all Explorer Scouts and those parents/guardians of Explorer Scouts in the District who have notified the District Secretary that they wish to be treated as members

- e) members of the District Executive Committee

- f) the Regional Chairman and the Regional Commissioner, and

- g) any persons elected or re-elected annually by the DSC on the recommendation of the District Commissioner and the District Executive Committee.

4. MEETINGS OF THE DSC

The DSC 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 District Executive Committee, including annual accounts and associated financial statements
- c) (if appropriate) to elect or re-elect a District President and/or Vice Presidents
- d) to receive and, if thought fit, to approve the District Commissioner's nomination of the District Chairman [who shall not be a person holding a District level Scouter appointment in that District]
- e) to elect a District Secretary and District Treasurer, [neither of whom shall be persons holding District level Scouter appointments in the District]
- f) to elect elected members of the District Executive Committee
- g) to receive and, if thought fit, to approve the District Commissioner's nominations of nominated members of the District Executive Committee
- h) to elect representatives to serve on the Regional Scout Council
- i) to elect delegates and a nominated youth representative to serve on The Scottish Council The Scout Association
- j) to elect a suitably qualified auditor or independent examiner, as appropriate
- k) to receive a report from the District Commissioner, and
- l) to transact any other business which was specified in the agenda for the meeting either at the request of the District Executive Committee or by requisition signed by five members of the DSC and lodged with the District Secretary at least eight weeks prior to the meeting.

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

Notice of all meetings of the DSC, including a copy of the agenda, shall be issued to members of the DSC 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 District.

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 DSC. Otherwise the District Chairman shall preside or, in his or her absence, the meeting shall elect a chairman from the members present.

5. DISTRICT EXECUTIVE COMMITTEE

The District Executive Committee shall be responsible to the DSC for managing the affairs of the DSC, for supporting the District Commissioner in meeting the responsibilities of his or her appointment and for providing support for Scout Groups, Explorer Scout Units and the Scout Network in the District. It shall be specifically responsible for:

- a) promoting Scouting in the District and arranging for harmonious cooperation with other organisations
- b) ensuring practical support for Scout Groups and other units in the District, particularly as regards the delivery of programme

- c) acting on matters relating to the District's finance and property
- d) appointing sub-committees and oversight of their operation
- e) supervising the administration of Groups, and the District Scout Fellowship, particularly in relation to finance and property matters
- f) attending to District administration, including matters relating to adult appointments, the appointment of a District Badge Secretary, registrations and membership of The Scout Association and the collection of membership subscriptions within the District
- g) complying with legislation applicable to Scottish charities
- h) approving an Annual Report, including annual accounts and associated financial statements, for submission to the Annual General Meeting of the DSC.
- i) Acting as an Executive Committee for the Explorer Scout Units in the District and the District Scout Network.

The District 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 DSC.

The members of the District Executive Committee shall serve as charity trustees for the DSC, and in that capacity they shall have the fullest powers to administer and manage the DSC's affairs in furtherance of its charitable purposes providing that the assets are to be applied solely for the purposes, management and administration of Scouting. In particular, but without limitation, the District 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 District, (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 an a 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 DSC's funds for all or part of any expenses reasonably incurred in the course of their duties.

6. MEMBERSHIP OF THE DISTRICT EXECUTIVE COMMITTEE

The District Executive Committee shall consist of:

Ex officio members: the District Chairman, District Commissioner, District Secretary, District Treasurer, Deputy District Commissioner (Youth), Deputy District Commissioner (Adults), District Explorer Scout Commissioner and District Scout Network Leader

Elected members: not more than six members of the DSC elected annually at the District Annual General Meeting

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

Co-opted members: not more than six persons co-opted annually by the District Executive Committee

provided that (a) at the time of their appointment, 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 DSC 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 Regional Chairman and the Regional Commissioner shall have the right of attendance at meetings of the District Executive Committee.

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

7. SUB-COMMITTEES

The District Executive Committee shall appoint an Appointments Advisory Sub-Committee and such other sub-committees as it decides. The District Chairman and District Commissioner shall be ex officio members of all sub-committees. The District Executive Committee shall appoint the chairmen, secretaries and other members of all such sub-committees (who need not be members of the DSC), provided that the membership of any fund-raising sub-committee must include at least two members of the District Executive Committee (in addition to ex officio members).

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

The District Executive Committee shall set the terms of reference of any other sub-committees.

8. CONDUCT OF MEETINGS

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

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

Except as provided in clause 9 below, decisions at meetings of the DSC, the District 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 chairman 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 DSC at a meeting of the DSC at which at least two thirds of the votes cast in person by those entitled to vote are in favour of the proposed change or changes. Particulars of the proposed change or changes must accompany the notice calling the meeting.