

Cardiff and Vale Area Scout Council

Constitution

[October 2020]

1) Purpose

The purpose of the Scout Area within the structure of the Scout Association is to provide leadership, advice and support for Scout Districts and, through them, for Scout Groups in an area the boundaries of which will correspond, insofar as is possible, with those of Local Authorities. The boundaries of the Scout Area are defined by ScoutsCymru in consultation with the Area Commissioner.

2) Changes to this Constitution

Changes to this Constitution may be made only with the approval of a general meeting of the Area Scout Council, a simple majority of those voting at the meeting of the Area Scout Council, being required.

3) Registration of Scout Areas

The registration and cancellation of the registration, of Scout Areas are matters for the discretion of ScoutsCymru, who may convene such committees or groups as may be necessary to make recommendations on such matters, including the amalgamation of Areas and changes in their boundaries.

4) Dissolution of the Scout Areas

Disposal of Area Assets at Splitting

- a) If the Area is split into two or more separate Areas, or into parts, which will be amalgamated with other Areas, the assets of the Area should be divided into proportions approximately represented by the Scout population of each part after splitting.
- b) These proportions of the Area assets should then be transferred to the Area which will in future be responsible for those parts of the old Area.
- c) This will normally be done under the supervision of ScoutsCymru.

Disposal of Area Assets at Closure

- a) If the Area ceases to exist the Area Treasurer must prepare a statement of account dated at the effective date of closure.
- b) This statement, together with all Area assets must be handed to ScoutsCymru as soon as possible after the closure date and must be supported by all books of accounts and vouchers.
- c) ScoutsCymru will ensure that the statement of account is properly scrutinised, independently examined or audited as appropriate.
- d) Any assets remaining after closure of the Area will automatically pass to ScoutsCymru, which shall use or dispose of these assets at its absolute discretion.

- e) If there is any reasonable prospect of the Area being revived ScoutsCymru may delay the disposal of these assets for such a period as it thinks proper with a view to returning them to the revived Area.
- f) ScoutsCymru is responsible for preserving the statements of account and all accounting records of the Area.

5) Composition of the Scout Area

The Scout Area is led by the Area Commissioner who is supported by:

- The Area Scout Council
- The Area Executive Committee
- The Area Team
- Area Administrators and Advisors
- Members of any Area Scout Active Support unit.

6) The Area Scout Council

The Area Scout Council is the electoral body, which supports and encourages the development of Scouting in the area. It is the body to which the Area Executive Committee is accountable.

- a) The Area Scout Council consists of:

Ex officio members [Voting]

- The Area Chairman and Area Vice-Chairman
- The Area President and Vice-Presidents
- The Chief Commissioner for Wales
- The Regional Commissioner for South Wales
- The Area Commissioner
- The Area Secretary
- The Area Treasurer
- Deputy Area Commissioners
- Assistant Area Commissioners
- The Area Youth Commissioners
- **The Deputy Area Youth Commissioners (Area Youth Pathway Partners)**
- Area Leaders
- Area Advisors (**Not Training or Nights Away Advisors**)
- Area Administrators
- Area Scout Active Support Managers
- Area Training Manager
- District Commissioners
- Deputy District Commissioners
- District Chairs
- District Secretaries
- District Treasurers
- District Scout Active Support Managers
- District Explorer Scout Commissioner
- District Scout Network Commissioner
- **District Youth Commissioners**
- Life Members

Nominated members [Voting]

- Persons recommended annually by the Area Commissioner in consultation with the Area Chairman
- One (1) Scout Network member nominated by each District
- Two (2) Area Scout Active Support members nominated by the Area Scout Active Support Unit(s)
- One (1) Explorer Scout member nominated by each District
- One (1) District Nominee. Each nominee shall be a full voting member of his/her District Scout Council.

Co-opted Members [Voting]

- The Area Scout Council may co-opt members annually. Such co-opted members may include representatives of organisations with whom it desires to maintain co-operation, e.g. The Guide Association, religious bodies, other youth organisations and Local Education Authorities.

Restriction on numbers

The number of nominated and co-opted members taken together must not exceed the total of ex officio members.

- b) The Area Scout Council must hold an Annual General Meeting within **ten** months of the financial year end to:
- Approve the Annual Report of the Area Executive Committee, including the statement of accounts, and to send a copy of that report to the Chief Commissioner and Headquarters
 - Approve or otherwise the Area Commissioner's nomination of the Area Chairman, Area Vice Chairman and nominated members of the Area Executive Committee.
 - Elect an Area Treasurer and an Area Secretary, unless the Area Executive Committee employs the Area Secretary.
 - Elect certain members of the Area Executive Committee
 - Confirm the nomination by the Area Executive Committee of one representatives to serve as nominated members of the Council of The Association
 - Confirm the nomination by the Area Executive Committee of a representative to serve as a nominated youth member on the Council of The Scout Association
 - Confirm the nomination by the Area Executive Committee of three representatives to ScoutsCymru, one of who is to be nominated to the Committee of ScoutsCymru.
 - Appoint an auditor.

- c) The quorum of the Area Scout Council shall be as determined from time to time by the Area Scout Council and recorded in the Notes to this Constitution.

7) The Area Executive Committee

The Area Executive Committee exists to support the Area Commissioner in meeting the responsibilities of the appointment and to provide support for Scout Districts and the Scout Network in the Area.

- a. The Area Executive Committee consists of:

Ex Officio Members [Voting]

- The Area Chairman
- The Area Commissioner
- The Area Youth Commissioners
- The Area Secretary
- The Area Treasurer
- The Area Appointments Chair

The Area Vice-Chair shall be elected by the members of the Executive Committee at the first Executive meeting following the Annual General Meeting. The Area Vice-Chair shall be an existing member of the Executive Committee.

- The Area Commissioner can nominate up to 4 members to the Area Executive Committee. One of which is to be appointed as Chair of the Finance Committee and one is to be appointed as Chair of the Assets Committee
- Two (2) members of the Area, aged between 18-25 years nominated by the Youth Council

Elected members [Voting]

- One (1) member from each District within the Scout Area, elected annually by the Area Scout Council from candidates proposed by each District.

Co-opted Members [Voting]

- Persons co-opted annually by the Area Executive Committee.

Right of Attendance [Non-Voting]

- The Area President
- The Chief Commissioner for Wales

Invited Members [Non-Voting]

- The Regional Commissioner for South Wales
- The Area's Nominated Member(s) of the Council of The Scout Association*
- The Area's Nominated Youth Representative of the Council to The Scout Association*
- Others as from time to time decided by the Chairman

- County Commissioner Girl Guiding [Cardiff and East Glamorgan]

(*if not already a member of the Executive Committee)

Restriction on numbers

The number of nominated and co-opted members taken together must not exceed the total of ex officio members and elected members.

- b. The Area Executive Committee may establish any sub-committees that it deems necessary. Sub-committees consist of members nominated by the committee.
- c. The Area Commissioner and Area Chairman will be ex officio members of any sub-committee of the Area Executive Committee
- d. Any fund raising committee must include at least two members of the Area Executive Committee, in addition to the ex officio members. No Area Scouter should serve on such a fund raising sub-committee.
- e. Members of the Area Executive Committee are the charity trustees of the Scout Area, which is an educational charity. Certain people are disqualified from being charity trustees by virtue of the Charities Acts. Charity trustees are responsible for complying with all the legislation applicable to charities. This may include registration and will require making an annual return to the Charity Commissioners if appropriate.
- f. Only persons aged 18 and over may be full voting members of the Area Executive Committee because of their status as charity trustees.
- g. The Area Executive Committee is responsible for:
 - Promoting the development of Scouting in the Area and arranging for harmonious co-operation between Scout Districts and between units of the Association and other organisations.
 - Acting with the Area Commissioner in all matters relating to finance and property.
 - Appointing annually Area Appointments Sub-Committee and a Chairman of that sub-committee
 - Appointing annually such other sub-committees [with terms of reference] and their Chairmen as the Committee may require.
 - Nomination of one person to be members of the Council of The Association.
 - Nomination of a Youth Member to the Council of the Association.
 - Nomination of three persons to be representatives to ScoutsCymru, one to be nominated to the Committee of ScoutsCymru.
 - Presenting the Annual Report and annual Statement of accounts to the Annual General Meeting of the Area Scout Council.
 - Attending to Area administration particularly:
 - Matters relating to Leader Warrants

- The appointment of Helpers and Skills Instructors, Administrators and Advisers.
 - Registrations, membership of the Movement.
- h. The quorum of the Area Executive Committee shall be as determined from time to time by the Area Executive Committee and recorded in the Notes to this Constitution.

8) The Role of Administrators and Advisors

- a) The Area President is appointed by Headquarters in consultation with the Area Commissioner, and with the approval of the Chief Scout, to encourage the well being of Scouting in the Area.
- b) Area Vice-Presidents are appointed by the Area Scout Council on the recommendation of the Area Executive Committee.
- c) The Area Chairman must be able to work in partnership with the Area Commissioner. Therefore, the Area Chairman is nominated by the Area Commissioner and the appointment is confirmed or otherwise by the Area Scout Council at its Annual General Meeting. The Area Chairman is an *ex officio* member of all Councils, committees and sub-committees in the Area and may attend all meetings of Executive Committees and Councils or may nominate a representative from the Area Executive Committee to attend. *The duties and responsibilities of the Area Chairman are laid down by P.O.R.*
- d) The Area Vice-Chairman is nominated by the Area Commissioner and the appointment is confirmed or otherwise by the Area Scout Council at its Annual General Meeting. *The duties and responsibilities of the Vice Chairman are as agreed with the Area Chairman.*
- e) The Area Secretary may either be elected by the Area Scout Council at its Annual General Meeting or may be employed by the Area Executive Committee which will make the appointment in consultation with the Area Commissioner. *The duties and responsibilities of the Area Secretary are laid down by P.O.R.*
- f) The Area Treasurer is elected by the Area Scout Council at its Annual General Meeting. *The duties and responsibilities of the Area Treasurer are laid down by P.O.R.*

Note - No individual may hold more than one of the appointments of Area Chairman, Secretary or Treasurer

- g) Other administrators may be appointed by the Area Executive Committee in consultation with the Area Commissioner.
- h) Area Administrators may be employed by the Area Executive Committee.

- i) All Advisers, other administrators, assessors etc., will be appointed in accordance with the rules currently existing in the Policy Organisation and Rules of the Scout Association.

9) Area Team

The Area Team is led by the Area Commissioner and comprises such Commissioners/Managers and other members of the Movement as the Area Commissioner requires.

The Area Team's purpose is to:

- Review the progress, standards and effectiveness of Scout Programmes in the Area and Districts including the Scout Network
- Plan the Area's support to Districts in the Area
- Plan the support and development of the training sections
- Plan any programme of Area events deemed to be necessary to supplement Scouting in the Districts and Groups
- Keep the Area Executive Committee advised of the financial requirements of the Area's programme.
- Secure the support of the Scout Active Support through the service agreement in the work of the Area.

10) Meetings

All meetings of the Area Council, Area Executive, Area Team, and all sub committees and other groups may be held as a virtual format if circumstances prevent members meeting in person for whatever reason.

Area Scout Council – Notes to the Constitution

A. Sub-Committees of the Area Executive Committee

(i) The Area Appointments Sub-Committee is a mandatory sub-committee of every Area Executive Committee. The responsibilities of the Area Appointments Sub-Committee are:

- To interview and satisfy themselves as to the suitability of applicants for appointment as:
 - District Commissioners
 - Assistant Area Commissioners
 - Area Leaders
 - Area Skills Instructors
 - Area Advisors and Assessors
 - Area Administrators
 - Those seeking Area Adventurous Activity Authorisation who do not hold a Warrant of appointment elsewhere in the Movement.
 - All those required under the national appointments process to see the Area Appointments Panel
- To consider applications for changes in appointments in the Area
- With the Area Commissioner to review the appropriate appointments, Certificates of Appointment, and Adventurous Activity Authorisations.
- Following the suspension of an adult within the Area, to recommend continuation of suspension, re-instatement, or cancellation or modification of appointment
- To support the Area Commissioner in the resolution of disagreements.

In addition to the functions listed above the Area Appointments Sub-Committee must consider, jointly with the Area Commissioner, the report of any arbitrator appointed by the Chief Commissioner. Any recommendation to cancel a Leader Warrant must be agreed with the Area Commissioner and a report submitted to Headquarters. In the event of agreement not being reached the matter must be considered by the Area Executive Committee. If the Area Commissioner does not agree with that committee's decision the matter must be referred to the Chief Commissioner, whose decision must be accepted as final by all parties.

The Area Chairman may be the chairman of the Area Appointments Sub-Committee and the Deputy Area Commissioner (Adult Support) is an invited member of that sub-committee.

The Area Executive Committee may appoint an Assistant Area Secretary to be the Secretary of the Area Appointments Sub-Committee.

- (ii) Other Sub-Committees. The Area Executive Committee may create other Sub-Committees as it deems necessary. The terms of reference of each sub-committee shall be determined by the Area Executive Committee at creation, and shall be from time to time reviewed, and if necessary, amended by the Area Executive Committee.

Sub-Committee membership: The Area Executive Committee, with certain exceptions [see below], appoints the voting members [who are not limited to being members of the Area Executive Committee] of all Sub-Committees and determines who will chair the Sub-Committee. The Area Chairman and Area Commissioner are *ex officio* members of all sub-committees. The Area Commissioner will nominate the Chair of the Assets sub-committee and the Finance sub-committee.

At least one member of each Sub-Committee will be drawn from the voting members of the Area Executive Committee, thereby ensuring continuity of authority of the Area Executive Committee and a reporting line back to that Committee.

Sub-Committees have the power to co-opt relevant advisors to their membership. Such advisors, while having a right of attendance and of hearing, shall not have any right to vote in the Sub-Committee.

Terms of reference for each sub-committee are voted on and approved by the Area Executive Committee.

Certain Sub-Committees are comprised jointly with other bodies, which may or may not be directly connected with Scouting. The appointment of Chairman, composition and voting rights of such joint sub-committee members will be detailed in the sub-committee's terms of reference; such terms of reference must be approved by the Area Executive Committee. At least one member of the sub-committee will be drawn from the voting members of the Area Executive Committee.

B. Conduct of Meetings

- (i) The minimum number to form a quorum for the Area Scout Council shall be 30% [rounded up] of the eligible voting members of the Area Scout Council.
- (ii) The minimum number to form a quorum for the Area Executive Committee shall be 30% [rounded up] of the eligible voting members of the Area Executive Committee.
- (iii) Decisions are made by a majority of votes. In the event of an equal number of votes being cast on either side in any issue the Chairman does not have a casting vote but the matter is taken not to have been carried.
- (iv) Notice of ordinary meetings of the Area Scout Council – at least twelve weeks' notice of the date of a meeting shall be given in writing to all members of the Council, and may be published for the information of other members of the Movement in the Area. Such notice may be given by inclusion in the circulated minutes of the previous meeting. The agenda for ordinary meetings of the Council will normally be circulated to attending members not more than four weeks, and not less than one week, prior to the date of the meeting.
- (v) Notice of extraordinary meetings of the Area Scout Council – at least four weeks' written notice of the date of a meeting shall be given to all members of the Council.. The agenda for extraordinary meetings will be circulated not less than one week prior to the meeting.

- (vi) Notice of ordinary meetings of the Area Executive Committee – at least four weeks' notice of the date of a meeting shall be given in writing to all members of the Committee. Such notice may be given by inclusion in the circulated minutes of the previous meeting. The agenda for ordinary meetings will normally be circulated to attending members not more than fourteen days, and not less than five days, prior to the date of the meeting.
- (vii) Notice of extraordinary meetings of the Area Executive Committee – at least one week's notice of the date of a meeting shall be given to all members of the Committee. Such notification may be in writing or verbally. The agenda for extraordinary meetings will be circulated as soon as possible after the notice of the meeting has been given.
- (viii) Submission of agenda items for meetings – items for inclusion on the agenda for a meeting must be submitted to the Area Secretary not less than sixteen days prior to the date of the meeting.

C. Advice of District Nominations to Area Scout Council and Area Executive Committee

District Secretaries must advise the Area Secretary, at least 21 days before the Area Scout Council Annual General Meeting, of the District nominations for the following positions on the Area Scout Council and Area Executive Committee:

- Proposed District member(s) for election to the Area Executive Committee
- One Explorer Scout member nominated by each of the District Explorer Scout Meetings

D. Area Administrators

Area Administrators may be employed by the Area Executive Committee. If this is done, the Area Executive Committee must consult the Area Commissioner prior to making such appointments. Advice should be sought with regard to pension scheme facilities, conditions of employment, taxation and National Insurance requirements.

As agreed by the Area Scout Council on X