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Decisions

The majority of this chapter is written from a District perspective. This is because District Appointments sub-Committees will carry out the majority of the work.

In most circumstances, County Appointments sub-Committees will use similar approaches.

Decisions

Remember, the key purpose of the Appointments sub-Committee is to determine whether the adult is fit and proper to work in Scouting. But what does this mean? There isn't a simple checklist for this decision; therefore the Appointments sub-Committee needs to decide if the adult:

- would be a good role model; would the young person's parents be happy and willing to leave their children in the care of this adult? (Exactly what might concern parents may of course be different in different villages, towns and cities).
- would be safe with young people/handling money/leading adults (as appropriate). Does the Appointments sub-Committee feel that this adult would act responsibly in these circumstances?
- would be suited to the role. Does this adult show enthusiasm for the role? Do they demonstrate an understanding of the job, and are they willing to undertake it using their relevant skills?

It is likely that during the meeting, the sub-Committee will form an opinion as to the general characteristics of the adult. It should be able to satisfy itself that they are a suitable person to take on a particular role in Scouting.

It may, however, be difficult to come to a final conclusion as to the adult's suitability. The Chairman of the Appointments sub-Committee should raise these concerns with the Commissioner before confirming any recommendation.

If the Appointments sub-Committee and the Commissioner do not agree, the matter must be raised with the Executive Committee.

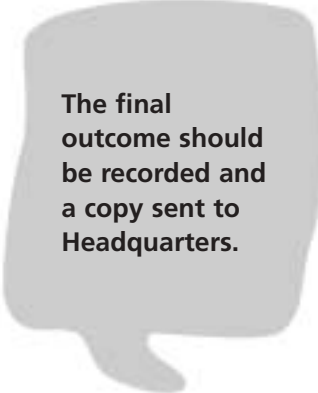
If the Executive Committee agrees with the District Commissioner, the decision is final. If it does not agree, the matter must be referred to the County Commissioner or Chief Commissioner as appropriate, whose decision all parties must regard as final.

At the end of the process, the final outcome should be recorded and a copy sent to Headquarters.

Appointment

Where the Appointments sub-Committee is happy to support the Appointment, the Secretary should sign the form and send it to Headquarters.

In the case of Warrants these will be issued by Headquarters and returned to the District/County.



The final outcome should be recorded and a copy sent to Headquarters.

In the case of Section Assistants, Skills Instructors, and Advisers, a Certificate of Appointment is issued locally.

In the case of Training Advisers who are appointed locally through the County Appointments sub-Committee, there is a Certificate of Appointment.

The Secretary should send a letter to the adult to explain that a Warrant or Certificate of Appointment will be presented shortly and to welcome the applicant into the District/County.

It is important that the Warrant or Certificate of Appointment is presented as soon as possible to ensure that the individual feels integrated and valued.

Refusals

If the Appointments sub-Committee or the relevant Commissioner refuses the adult a Warrant or Certificate of Appointment, then the County Commissioner and Headquarters must be informed.

The applicant must also be told in writing as soon as the decision has been made.

Review

The Appointments sub-Committee has a role to play in the review stage of an adult's Scouting life. This is shown in the Adults in Scouting model (see Appendix 3).

All Appointments in Scouting are for set periods of time. The maximum length of a Warrant or Certificate of Appointment is five years, but it is possible for them to be issued for less. This can be simply done by entering the required review date on the Warrant or Certificate. The length of time should have been agreed between the Commissioner and the adult when the appointment was first discussed.

The relevant Commissioner, or line manager should undertake interim annual reviews before a Warrant expires. These may be informal such as a simple chat to see how things are going and if people are happy. Further details of this can be found in the Adults in Scouting resources covering 'Review'.

The District Commissioner, in co-operation with the Group Scout Leader and the District Appointments sub-Committee, must review all Leader Warrants at the end of the period agreed at Appointment.

The District Commissioner and the Appointments sub-Committee acting together must review the Warrants of Group Scout Leaders.

The District Commissioner and the Appointments sub-Committee are responsible for carrying out the review together with the Group Scout Leader for Group Appointments. In most cases this will take the form of a meeting between the Leader and Group Scout Leader who will then make a recommendation to the District Commissioner and relevant Appointments sub-Committee. It should not normally be necessary for either the Leader or Group Scout Leader to attend the sub-Committee meeting unless there are real difficulties to be resolved.

For Warranted appointments that are renewed, the adult must hold a current First Aid Certificate, with First Response being the minimum standard.

All Section Assistants, Skills Instructors, Training Advisers and those holding Adventurous Activity Authorisations are also subject to a review at least every five years.

The process for review is handled as follows:

- a) The Appointments sub-Committee secretary sends Form AR to the line manager who will carry out the review. The form should be sent at least three months before the review is due.
- b) The Appointments sub-Committee secretary notifies the appointment holder that the review is due.
- c) The line manager carries out the review and records the details on Form AR and returns it to the Appointments sub-Committee secretary.
- d) The District Commissioner and Appointments sub-Committee consider the completed Form AR and reach a decision on the review of the appointment.

Form AR is available from the Scout Information Centre.

The Appointments sub-Committee has a role to play in supporting the appropriate Commissioner in the formal review of Appointments. The areas to be considered are very much the same as those set out in Chapter 4 - making a judgement about the applicant, except that the review meeting will now be concentrating on the adult's past service and their potential for further service in Scouting. In carrying out this review, the Appointments sub-Committee should consider the following key issues:

- Is the person still suitable for their present role?
- Does the person still accept the Aim, Principles, Method and Policies of the Association?
- Has the person carried out their duties to an acceptable standard?
- Has the person completed appropriate training?
- Does the person have an up to date First Aid certificate (with First Response being the minimum standard)?
- Has the adult completed the Ongoing Learning requirement for their role?

The outcome of any formal review can be renewal of the Appointment, reassignment to another Appointment or retirement. This is shown in the Adults in Scouting model (Appendix 3).

One of the more common issues to be resolved is that the adult may not have completed their learning obligations. The adult's Training Adviser should guide them through the completion of their Personal Learning Plan but it is the adult's responsibility to complete their learning. There may be very valid reasons for learning to be incomplete, e.g. work or family commitments.

The rules of The Scout Association allow for special circumstances and for alternative approaches to completing learning to be agreed in consultation with the County and its Training Manager. It is therefore possible for the District Commissioner to renew a Warrant after taking the following points into account:

- Are there genuine reasons why the obligation to learning has not been met?
- Is there a willingness by the person involved to complete appropriate learning?
- Can a clear plan of action be agreed by all the parties involved?

Once a commitment to complete the necessary learning has been agreed, then a whole range of alternative learning methods and approaches can be used to help the person gain an appropriate Wood Badge.

Administrator's Appointments are not reviewed as the term of office comes to an end at the Annual General Meeting of the appropriate Scout unit. The Administrator can, of course, be re-elected to the same office.

It is good practice for the individuals to have been spoken to by the Group Scout Leader or Chairman prior to the Annual General Meeting to ascertain if there is mutual agreement that they stand again for election.

Holding more than one Appointment

From time to time adults may be required to take on more than one role in Scouting. This may be due to having to cover a vacancy whilst a permanent solution is found, for example, a County Commissioner covering a vacant District Commissioner role. The relevant Commissioner must give approval for this to happen within the County or District. This will need to be recorded by the Appointments sub-Committee. The Commissioner must be satisfied that the adult is able to fulfill the duties of the both roles.

Changing Appointments

Many people join Scouting in order to undertake a particular role and stay for as long as this work is rewarding. Others are often prepared to move onto other challenges or take on additional responsibility. When this happens there is no need for them to go through the whole Appointment procedure, for example, submission of a CRB or a request for references (Form RF) unless the adult has changed District or County or if there has been a break in service. The Appointments sub-Committee is responsible for considering changes in Appointments. It should consider the change in responsibility and the person concerned to arrive at a decision as to whether an additional meeting is necessary or not.

Where appropriate, changes to Appointments should be notified to the Records Manager at Headquarters.

Suspensions

From time to time, the District Commissioner may need to take action to suspend an individual from Membership or Associate Membership of the Movement. Suspension may be as a result of an alleged criminal offence, a disagreement between parties or when the action of an individual could seriously harm the Members and/or reputation of Scouting.

Suspension itself is not intended to pass judgement on a particular set of circumstances, but is there to allow the Commissioner to respond to a situation, which if unchallenged could potentially harm young people or the reputation of the Movement.

The work of the Appointments sub-Committee is to support the Commissioner in dealing with the consequences of suspending an adult in Scouting. The sub-Committee does not have a formal role to play in deciding that suspension is necessary. That responsibility lies firmly with the District, County or Chief Commissioner and the Association's Headquarters. In dealing with suspensions, the appropriate Commissioner must complete a Cancellation/Suspension Form CS.

The sub-Committee does, however, have a role in dealing with the lifting of a suspension. Its support and advice can ease the decision-making load of the Commissioner involved and reduce the likelihood of accusations of personal prejudice.



The Appointments sub-Committee supports the Commissioner in dealing with adult suspensions.

Alleged serious criminal offence

In the case of an allegation of a criminal offence e.g. offences against young people, theft, assault, the District or County Commissioner has no choice (after consultation with the County or Chief Commissioner as appropriate) but to suspend Membership.

The suspension must remain in place until any police enquiries are concluded and the investigating authorities have taken whatever steps they deem appropriate. It is then a matter for the Appointments sub-Committee to consider the outcomes of the enquiries, together with the events that gave rise to the allegations and to decide whether or not Membership should be re-instated.

It is not the role of the Commissioner or the Appointments sub-Committee to carry out **any** investigation in respect of the alleged criminal activity. They do however have a collective responsibility to review the position and consider the suitability of the individual concerned.

Guidance notes for adults suspended following an allegation of a serious disciplinary or criminal offence are available from The Secretary's Department at Headquarters, from your Field Development Officer and from the Information Centre at Headquarters. Contact details can be found at the end of this book.

Disagreements

When a disagreement between adults cannot be resolved quickly, suspension of the adults involved may be necessary for a limited period. The procedure does allow for the appointment of an arbitrator (see Appendix 4). It is not the role of the Commissioner or the Appointments sub-Committee to carry out any investigations. The conciliator will report any findings. The Commissioner will, with the Appointments sub-Committee, consider these findings and decide in the most extreme case whether or not Membership should be terminated.

Disagreements of one form or another may occasionally occur in the working life of some Groups, Districts and Counties. Many arise out of a misunderstanding or a breakdown in communications, which inevitably leads to upset. This kind of disagreement is best left to those involved and usually the misunderstanding can be resolved quite quickly.

There are also those disagreements that are based on a clash of personalities. In these cases, the individuals involved will eventually have to learn to get on with each other or move onto pastures new. The most difficult are those disagreements which are based on some kind of principle, imaginary or real, when the people involved see their reputation or authority being undermined or discredited. Whatever the cause of the disagreement the need for tact and diplomacy, underpinned by respect for those trying to resolve the difficulty, will be needed if all those involved are to find an acceptable solution.

As much of the work of the Appointments sub-Committee is concerned with dealing with individuals in a confidential manner and in making judgements about the qualities and indeed motives of those who wish to become involved in Scouting, the sub-Committee has a wealth of experience on which to draw. This could be a helpful source of advice and support to the Commissioner.

In the case of serious disputes, Headquarters including Field Development Officers (Northern Ireland Headquarters, Scottish Headquarters or Field Commissioners in Wales) are also available to advise the District or County Commissioners and Appointments sub-Committees in meeting their responsibilities.

Harming the reputation of Scouting

Situations may arise where an individual openly and publicly disagrees with a major policy of the Association or even actively demonstrates opposition to those policies. This will be treated as being a disagreement with the Association and will therefore be dealt with in a similar way to 'disagreements' above.

Responsibilities at the end of the period of suspension

In recommending action to re-instate, modify, or revoke the Appointment of the adult under suspension, the Appointments sub-Committee has a formal role to play in the process.

The Appointments sub-Committee must agree a recommendation with the District Commissioner and, where appropriate, the Group Scout Leader and the Sponsoring Authority, for action and seek approval for that action from the authority approving the suspension e.g. the County Commissioner. The person suspended should be informed of the final decision as soon as possible.

When reviewing a suspension and making the subsequent recommendation, those responsible must give consideration as to the continuing suitability of the individual to carry out a specific role, i.e. they must satisfy themselves that the subject remains a fit and proper person for a particular Appointment.


Care must be exercised when dealing with these situations. In these circumstances, new references may need to be sought and advice obtained from professional or statutory agencies. The Field Development Officer (Northern Ireland Headquarters, Scottish Headquarters, or Field Commissioners in Wales) is also available to help District and County Commissioners and Appointments sub-Committees in meeting their responsibilities in this area and to advise at any stage of the process.

In making a recommendation for the cessation of the suspension there is a need to consider the implications for Scouting in the following ways:

- Does the adult's behaviour, which led to the allegation, bring into question their suitability to work with young people?
- Should the person continue to hold their current Scouting Appointment or is another Appointment more suitable?
- Is further training or learning needed for the person concerned?
- Are additional arrangements needed to ensure the effective supervision of the person concerned?

Below are three useful principles, in **order of priority** that may be helpful to apply in reaching a decision:

- 1** Do the actions or the behaviour of the individual concerned affect the health and welfare of young people?
If the answer is 'yes', 'probably' or 'possibly', great caution should be exercised before re-instatement of the Appointment is recommended.
- 2** Do the actions or the behaviour of the individual concerned affect the good name of Scouting?
By having this person as an adult in the Movement, is it likely to damage the standing of the Movement in the eyes of parents, the general public, other organisations etc.?
- 3** Do the actions or behaviour of the individual concerned affect that person,



If in doubt, the Commissioner and the Appointments sub-Committee should exercise caution.

other adults and working relationships?

Sometimes we may have to protect adults against themselves. Continuation of working with young people could cause problems for themselves in their private lives, employment, standing in the community etc.

In all instances of doubt, the Commissioner and the Appointments sub-Committee should exercise caution.

Rehabilitation of offenders

It is the policy of The Scout Association that in all cases of considering the re-instatement, membership, or Appointment of any adult with a criminal conviction who has **not** completed any statutory period of rehabilitation, the Appointments sub-Committee **must** consult Headquarters before considering the adult.

The Scout Association's Equal Opportunities Policy states that 'having a criminal conviction is not in itself a bar to membership'. To some people this statement suggested that once a 'sentence' had been served consideration could be given to membership, Appointment or re-instatement. Criminality is not an equal opportunities issue but having a criminal record is a factor which Appointments sub-Committees must take into account when considering a person's suitability for a role in Scouting.

The Appointments sub-Committee should ask similar questions to these when considering reinstatement after the lifting of a period of suspension.

In all cases, the Appointments sub-Committee must be cautious and if necessary, not appoint.

Rehabilitation periods

The current legislation has been reviewed recently and changes are expected. Refer to the Records Department at Headquarters for information if a situation arises.