

Appendix 4

When adults disagree

Guidelines for dealing with disagreements in Scouting

The purpose of these guidelines is to enable a disagreement to be resolved informally, speedily and fairly.

- 1 Speed is essential. Disagreements not dealt with quickly become more difficult to resolve as time passes.
- 2 The Group Scout Leader or Commissioner must talk promptly, fully and face to face.
- 3 Avoid allowing disagreements to develop if at all possible. Many a word spoken hastily can be repented overnight and withdrawn. An early apology can work wonders!
- 4 Never under-estimate the value of a hand shake.
- 5 Talk immediately with the supporting Commissioner.
 - A Group Scout Leader will talk to the District Commissioner.
 - A District Commissioner to the County Commissioner
 - A County Commissioner to the Chief Commissioner.
- 6 If there is any suggestion of a criminal offence having been committed e.g. involving a child or young person, the Police must be notified. The adult concerned must be suspended (after consultation with the County Commissioner) until the Police inquiries are concluded.
- 7 Headquarters Field Staff must be notified in the case of (6) above and of all disagreements involving a Scout District or County which either effect the good name of Scouting or the development and growth of the Movement.
- 8 If it is necessary to suspend anyone the following action should be taken:
 - (a) The Commissioner 'suspending' obtains approval from the supporting Commissioner before suspension.
 - (b) Suspension initially is for not more than 90 days, with the right to suspend for further periods of 90 days after further consultation with the supporting Commissioner as in (a).
 - (c) The suspension is in line with POR Rule 15.5 and these guidelines.
 - (d) The effect of suspension, including the insurance position must be made clear to **all** concerned.
- 9 Any threat or offer of resignation should be accepted immediately and confirmed in writing. Form CS should be completed within 48 hours and sent to the Records Department at Headquarters.
- 10 The form must be completed in full and a copy retained by the District/County Secretary.
- 11 No contact should be made by any party with the media. If there is media interest this should be referred to the Public Relations Officer at Headquarters.

- 12** If the Group Scout Leader/Commissioner is unable within a reasonable time to resolve the disagreement it must be referred to the supporting Commissioner (DC, CC or Chief Commissioner) who will immediately appoint a conciliator.

Why do adults disagree?

- 1** In most cases disagreements will fall into five main categories:
- Personality e.g. clashes/lack of team working
 - Performance e.g. lack of or inadequate support
 - Policy e.g. creating new policy or non acceptance of existing ones
 - Misunderstanding e.g. mainly between adults
 - Mishandling or lack of review process e.g. Warrant review.
- 2** Sometimes disputes between adults may arise from young people's behavioural problems. Whilst the principles of settling disputes between adults is relevant in these circumstances the cause is very different. Factsheets are available from the Scout Information Centre.
- *Promoting good behaviour in the Scout Troop* - FS 315066
 - *Managing behaviour in the Colony and Pack* - FS 155054
- 3** Disagreements, whatever the root cause, do not develop overnight. Problems usually exist for some time without being addressed. The role of all adults within Scouting should be to support each other. Responsibility to ensure effective working relations is everyone's responsibility.
- 4** Difficulties often arise because someone has not dealt with the problem and therefore the responsibility to find a solution usually falls upon the Group Scout Leader or appropriate Commissioner. The longer a situation continues, the more difficult the solution. **Face the problem.**
- 5** Who deals with, supports or advises is a matter of judgement and circumstance. Seeking advice to bring a workable solution to any dispute should be taken as the norm. The initial approach is often the critical factor, and sensitivity and common sense should prevail.
- 6** Effective application of matters referred to in the publications below should significantly reduce the likelihood of disputes/disagreements arising. It is recommended that the principles and practices within these publications are consistently applied.
- 7** Personal support is available from a variety of sources for managing people and disputes. These include the following:
- Drawing upon the experiences of others, within the District, the County and from Headquarters.
 - Written support material.
- 8** If there is an allegation of serious disciplinary/criminal offence, then the above procedures do not apply.

Suggested action

- 1 Objectively determine the nature of the dispute/disagreement. Look behind the initial complaint.
- 2 Face the problem and deal with it. Seek advice/support. Check that due process is being followed.
- 3 Produce an action plan (what, who, when, where).
- 4 Gather information. Decide appropriate action, which may be:
 - i. a conversation with an individual or group to highlight a concern
 - ii. application of the conciliation process
 - iii. suspension
 - iv. cancellation of Appointment

Please remember if the actions are taken (as appropriate) in order this will allow the actions following them to be carried out. Moving straight to actions (iii) or (iv) will preclude any further possibility of discussion/conciliation. These actions should only be taken in appropriate circumstances. Often moving to these areas too quickly in inappropriate circumstances only serves to create further problems.

- 5 When actions (i) and (ii) are used, it is recommended that a note is made of any agreement reached and given to all parties. This will help in any future discussions or review process.
- 6 There are two ways of resolving disputes.
 - The right way involves gathering the relevant facts in an objective manner, deciding which method is to be used to resolve the dispute and then working hard to reach agreement between the parties concerned.
 - The wrong way is to rush to a conclusion without checking the facts first.

Conciliation

The job of a conciliator (like ACAS in Industry) is to talk to the parties in order to reach a solution, if possible. It is not the same as reconciliation, which involves trying to bring parties together to the same position they occupied before the disagreement.

The conciliator will be appointed by the District Commissioner, County Commissioner or the Chief Commissioner (who will not appoint himself/herself).

The Commissioner must never set up any sort of informal inquiry.

The conciliator must meet both/all parties. Whether this takes place together or separately will depend on circumstances.

The adults concerned must be reminded they are Members of the Scout Movement, which aims to support and serve children and young people. They must also be reminded of their commitment to the Promise and Law.

If it can be seen that one party is in the wrong, or is behaving inappropriately, then the conciliator must not hesitate to say so. Care must be taken not simply to believe the first person who speaks. Both sides must have a hearing.

The conciliator must report his/her findings in writing to the appointing Commissioner. Care should be taken that any notes made are factual and accurate. Copies of any written notes may have to be disclosed to a third party at some time in the future.

A variety of possible solutions to a disagreement may emerge:

- i) the parties may be able to agree an outcome
- ii) a compromise may be reached
- iii) one or both of the parties may resign
- iv) if there is a clash of personalities, things may be solved by one or both adults agreeing to do their Scouting in a different Section, or Scout Group or District
- v) in the absence of any solution as above, the Commissioner having considered the conciliator's report will make a final decision.

NOTE: The conciliator does not have the authority to cancel an Appointment.