

## Trustee Board extracts from April 2023 POR

This document contains two short sections extracted from the **final draft** of the April 2023 edition of POR.

It is intended for use by Transformation Leads in planning briefings for Chairs and other Trustees across their County regarding the purpose of a Trustee Board, and some key topics to ensure that all AGMs cover in 2023.

### Trustee Board – purpose

The Trustee Board must act in the charity's best interests, acting with reasonable care and skill and take steps to be confident that: <sup>SV</sup>

- a) The charity is:
  - well managed
  - carrying out its purposes for the public benefit
  - complying with the charity's governing document and the law
  - managing the charity's resources responsibly
- b) the charity is operating compliant with POR, including effective management of the Key Policies listed in chapter 2 - The Equal Opportunities Policy, Privacy and Data Protection Policy, Religious Policy, Safeguarding Policy, Safety Policy, Vetting Policy, Youth Member Anti-bullying Policy.
- c) young people are meaningfully involved in decision making at all levels
- d) there are sufficient resources (funds, people, property and equipment) available to meet the planned work of the Group, District or County (as appropriate) including delivery of the high quality programme and resource requirements of the training programme (Rule 4.9.6)
- e) The Scouts has a positive image in the local community

The Trustee Board members must themselves collectively:

- a) develop and maintain a risk register, including putting in place appropriate mitigations
- b) ensure that the charity's finances are properly managed, including development and maintenance of appropriate budgets to support the work of the charity
- c) maintain and manage:
  - a reserves policy for the charity (including a plan for use of reserves outside the 'minimum')
  - an investment policy for the charity
  - a public benefit statement for the charity
- d) ensure that people, property and equipment are appropriately insured, and that any property and equipment owned or used by the charity is properly protected and maintained
- e) promote and support the development of Scouting in the local area.

- f) ensure the appointment and management and operation of any sub-committees, including appointing a Chair to lead the sub-committee
- g) ensure that effective administration is in place to support the work of the Trustee Board
- h) appoint any Administrators, Advisers and co-opted members of the Trustee Board
- i) ensure transparency of operation, including:
  - prepare and approve the Annual Accounts and arrange their sign-off of by an auditor, independent examiner or scrutineer as appropriate and as appointed by the Scout Council at their Annual General Meeting
  - prepare and approve the Trustees' Annual Report (which must include the Annual Accounts)
  - present the approved Trustees' Annual Report and Annual Accounts to the Scout Council at the Annual General Meeting (AGM)
  - following the AGM, ensure that a copy of the Trustee Annual Report and Accounts is sent to the District or County Trustee Board administration and, if a registered charity, is filed with the appropriate charity regulator (if the regulator's rules require it).
- j) take responsibility for adherence to Data Protection Legislation recognising that, dependent on circumstances, it will at different times act as a Data Controller and as a Data Processor
- k) individually and collectively maintain confidentiality regarding appropriate Trustee Board business
- l) where staff are employed:
  - act as a responsible employer in accordance with Scouting's values and relevant legislation
  - ensure that effective line management is in place for each employed staff member and that these are clearly established and communicated
  - ensure that appropriate specific personnel insurance is in place

## Annual General Meetings

The Annual General Meeting must:

- a) Undertake governance oversight by
  - adopting (or re-adopting) the constitution of the Scout Council (see rule 5.3)
  - confirming (or re-confirming) the dates of charity's financial year
  - agreeing the number of members that may be elected to the Trustee Board
  - agreeing the quorum for each of:
    - meetings of the Scout Council
    - meetings of the Trustee Board
    - meetings of any sub-Committees(see rules 5.5.2.7, 5.5.2.8, 5.5.2.9)
- b) Review the previous year
  - receive and consider [the Trustees' Annual Report](#) and the annual statement of accounts prepared by the Trustee Board.

The accounts must have completed their examination by an appropriate auditor, independent examiner, or scrutineer.

The Trustees' Annual Report and Accounts presented to the Scout Council must include the formal report prepared by the auditor, independent examiner, or scrutineer.
- c) Make appointments
  - approve the Group Scout Leader's, District Commissioner's or County Commissioner's nomination of the Chair of the Trustee Board
  - approve the Group Scout Leader's, District Commissioner's or County Commissioner's nomination of members of the Trustee Board
  - elect a Secretary to the Trustee Board, or agree the Trustee Board's nomination of a Trustee Board Administrator.
  - elect a Treasurer to the Trustee Board
  - elect Trustees to the Trustee Board
  - approve the appointment (or re-appointment) of any Presidents or Vice Presidents
  - appoint (or re-appoint) an auditor, independent examiner or scrutineer as [required](#)

The Annual General Meeting of a District Scout Council must also:

1. nominate representatives of the District Scout Council to represent the District on the County Scout Council.

The Annual General Meeting of a County Scout Council must also:

1. elect representatives of the County Scout Council following Rule 6.5 to be nominated members of the Council of The Scout Association.
2. elect representatives of the County Scout Council as per Rule 6.5 to be nominated members (18-24) on the Council of The Scout Association